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'Minimum credible deterrent' plan

Thatcher will assure Russia over Trident

By ROBIN OAKLEY, POLITICAL EDITOR

MRS Thatcher will assure President Gorbachov during talks in Moscow on Friday that Britain wishes to maintain only the minimum credible nuclear deterrent.

Mr Gorbachov raised the question of Britain buying US Trident missiles during his Washington summit with President Bush last week. However, Mrs Thatcher will make it clear that Britain is buying only the minimum number required.

Although the figure is classified, Britain is believed to be buying about 100 Trident missiles, without warheads, for £1 billion. The warheads will be of British design and are being developed by the Atomic Weapons Establishment at Aldermaston in Berkshire.

In previous talks, the Soviet leader has accepted Mrs Thatcher's arguments for keeping the British deterrent out of the first phase of strategic arms talks, but Moscow is likely to put more pressure on Britain now that Mr Bush and Mr Gorbachov have agreed to pursue follow-on negotiations once a START I treaty has been signed.

The Government argues that, although the size and capability of the Trident deterrent will be immensely superior to the existing Polaris system, it still represents only a tiny proportion of the two superpower arsenals. The Government believes that the British deterrent should be considered for inclusion in

Start negotiations only after the American and Soviet arsenals have been "substantially" reduced.

Mrs Thatcher was briefed by President Bush on the Washington talks during a 20-minute telephone call on Sunday night. Mr Bush told her that he had reached a good accord with Mr Gorbachov. They discussed the implications of the summit for her talks with the Soviet leader during her four-day trip to the Soviet Union this week.

She will support the view underlined by Mr Bush that a united Germany must be part of the Nato alliance, which is opposed by the Soviet side and led to significant differences at the Washington summit. Mrs Thatcher argues that it is essential for the continued security of the West that a united Germany remains part of Nato and that the alliance should continue to have nuclear weapons based in Germany. She accepts, however, that the Soviet Union's security concerns should be met by allowing Soviet forces to remain there for a transitional period.

On another unresolved issue, Mrs Thatcher will continue to press Mr Gorbachov to increase discussion with Lithuania on what she and the American president regard as a "soluble issue".

A third area of concern is that of Soviet Jewry. Mr Gorbachov indicated in Washington that he might reintroduce curbs on Jewish emigration from the Soviet Union unless Israel provided guarantees that its new immigrants would not be settled in the occupied territories.

Mrs Thatcher has campaigned throughout her visits to the Soviet Union in recent years for increased Jewish emigration. Last night, government sources said: "She hasn't spent all those years pressing the issue to drop it now."

Downing Street is not yet taking the threat of immigration curbs too seriously, taking the view that there is no evidence yet of a cutback. Mrs Thatcher has issued a warning that Israel should not attempt to settle Jewish immigrants in occupied territories.

The Prime Minister flies to Moscow on Thursday after addressing the Nato foreign ministers' meeting at Turnberry in Scotland. She will have talks with Mr Gorbachov on Friday before going to Kiev on Saturday for the

reunion gave Mr Gorbachov an opportunity to enlist Mr Reagan's help in winning conservative support for arms and trade pacts signed last week.

Mania factor, page 10

INSIDE Owen's 'debt' to Labour

As Dr David Owen and the SDP's two other MPs came under fire from Mr John Martin for abandoning the party, Labour Party leaders have warned there will be no special re-entry deals for them.

Dr Owen, however, continued to indicate steady movement towards Labour. "I am not going to be the reason why Labour loses the next election," he said. He felt a debt "not to damage them" Page 22

Stores' victory

Convictions against two stores for Sunday trading were quashed at the High Court yesterday in a judgment which will fuel the campaign for clarification of the law. The case involved the sale of products worth about £4.25 million. Page 3

Housing plan

Shelter, the national campaign for the homeless, proposes a national neighbourhood housing movement for lower income households. Page 5

Leading article, page 13

Liberia attack

Most international flights to Liberia were cancelled after rebels took a key town near the main airport. Page 9

Soviet credit fear

Despite President Gorbachov's weekend assurances, the Berlin Union is to approach Moscow urgently over Soviet problems in meeting payments to Western companies. Page 10

Leconte wins

Henri Leconte, of France, continued his resurgence by beating Andrei Chesnokov, of the Soviet Union, in the French Open tennis championships. Page 44

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Paris and Bonn defy EC beef ultimatum

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

FRANCE and West Germany yesterday ignored an ultimatum from the European Commission in Brussels to lift bans on the import of British beef imposed ostensibly because of fears that their consumers might be harmed by the "mad cow" disease.

Last Friday the Commission gave until 6pm yesterday before starting legal proceedings against the two countries. However, Mr Raymond MacSharry, the European Commissioner for Agriculture, disclosed last night that no action would be started against Bonn and Paris

before an emergency meeting of EC agriculture ministers in Brussels tomorrow at which he expected the bans would be lifted.

In London, Mr John Gunn, the Minister of Agriculture, said he regretted the bans were still in place, but accepted that it was up to the Commission to decide what should be done.

Saudi Arabia announced yesterday that it was suspending beef imports from Britain because of BSE fears. Other non-EC countries banning British beef are Austria, Bahrain and Egypt.

Seat belts demand, page 7
Leading article, page 13

Merger points way to Heart of Hibernian

By KERRY GILL

THE hyperbole of football, for once, was justified last night as the Scottish soccer world was rocked to its foundations as it emerged that the two Edinburgh-based premier division clubs of Hearts and Hibernian were on the point of a merger.

Hearts Football Club announced that it was preparing a £6.1 million takeover bid for Hibernian, a disclosure that left Hibs' supporters astounded after more than 100 years of intense rivalry.

A merger between the clubs, previously almost as unthinkable as an accord between Rangers and Celtic, could leave Edinburgh with a single team capable of challenging



either of the two Glasgow clubs for football ascendancy north of the Border.

Hibernian was formed in 1875, just one year after Heart of Midlothian, and the seal set for a cross-city rivalry every bit as acute as that between Glasgow's "old firm" of Rangers and Celtic.

The club went defunct before the turn of the century and was reformed, but as

nominally interdenominational side.

Inco, the property company which holds a majority shareholding in Hibs, is expected to accept almost double the market value of Hearts' 20.5p share price, valuing the Easter Road club at more than £2 million. Mr Wallace Mercer, the chairman of Hearts, has bid 40p a share. Details of the planned takeover are expected to be announced today, but last night Mr David Duff, Hibs' chairman, issued a statement saying: "I am aware that a cash bid for the whole share capital of Edinburgh Hibernian plc will be made by Heart of Midlothian Football Club within the city's green belt."

Mr Brian Hall, a taxi driver, voiced the Scottish fans' reaction: "My father used to take me to Easter Road. He'll be turning in his grave today."

Bid effects, page 24
Merger details, page 44

Tackled: Lee Forster being escorted by Sardinian police into court in Cagliari yesterday, where he pleaded guilty to theft and criminal damage

Seat belts in coaches demanded by Britain

By MICHAEL HORNSLL AND PHILIP JACOBSON

A JUDICIAL investigation into the weekend road crash in France which left 11 Britons dead was opened yesterday as the British Government renewed calls for compulsory seat belts on coaches.

Mr Cecil Parkinson, secretary of State for Transport, said Britain would "use this awful tragedy" to press the European Community for the long-awaited safety measure.

Last night there were indications that the French, who have for long opposed the idea, would support a proposal before the Council of Ministers for belts to be fitted to the front seats only.

In France Dr Jean Louis Hussonnas, director of the Auxerre region's special accident unit, praised the courage and dignity of the injured and those who helped them. He said the combination of internal and external injuries, from brain damage to fractures and serious wounds, was particularly striking.

Nine of the injured were last night still in critical condition: three were transferred by helicopter to specialist hospitals in and around Paris a few hours after last Sunday's crash. But 20 people were preparing to return to England after treatment and another 14 were stable.

Police were waiting to interview the driver of the coach, Mr John Johnston, aged 42. Although police have indicated that the vehicle was travelling at "excessive speed" when a tyre blew out on the A6 motorway near Joigny, it is suspected that it was up to the driver to decide what should be done.

A split emerged last night between Commons and Lords Ministers over the procedural rights of the upper House to kill off a government bill which MPs had passed by a majority of four to one.

Several legal heavyweights vowed to fight the legislation through every stage in the Lords if necessary because of their objection to the changes it would make in British law.

Lord Haileman of St Marylebone, the former Lord Chancellor, said peers were being invited to commit "an indefensible stain" on the British system of justice. "We are not to be

Nine are questioned by anti-terrorist police

By CRAIG SETON and STEWART TENDER

NINE people were being questioned yesterday by Scotland Yard's anti-terrorist branch and Staffordshire detectives investigating the IRA campaign on the mainland.

Six of the nine, four men and two women, were arrested after the Yard found a red Peugeot which police believe is linked to an arms incident two weeks ago. The other three, all men, are being questioned by Staffordshire officers in the hunt for the gunman who shot down a young soldier and wounded two others at Lichfield City railway station last Friday.

The six being questioned are held at Paddington Green police station, west London. Police have been looking for the Peugeot, discovered in north London, since a Ford Cortina was stopped by traffic officers early on May 22 in Wood Green, north London, and was found to be carrying two loaded AK47 assault rifles.

A Peugeot with Northern Irish number plates is thought to have been following the Corina. Police later searched a Peugeot 205 car found in Shepherd's Bush, west London, which was eliminated from the hunt.

The soldiers were seen parked at the front of Lichfield station 15 to 20 minutes before the shooting; three men were seen in the car.

The soldiers were from the Whittington Barracks, three miles from Lichfield. One of them, Private William Davies, aged 19, died from his wounds in hospital.

A similar vehicle containing three men had also been seen in Upper St John's Street on the A51 leading out of Lichfield at about the time of the shooting. After the shooting, a red Cortina containing three men was seen being driven erratically on the A38 near the city.

Mr Bevington said Staffordshire detectives were interviewing the three men in London. "It is too early at this stage to say whether they may have been carrying any weapons at all on this investigation," he said. He said police wanted to trace a red Cortina car with a black

vinyl roof that was seen parked at the front of Lichfield station 15 to 20 minutes before the shooting; three men were seen in the car.

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Deadlock over war crimes Bill

By SHEILA GUNN, POLITICAL REPORTER

A CONSTITUTIONAL confrontation between the Commons and the House of Lords is looming as peers speak out against the Government's legislation to hold Nazi war criminals tried in Britain.

A split emerged last night between Commons and Lords Ministers over the procedural rights of the upper House to kill off a government bill which MPs had passed by a majority of four to one.

Aides to Mrs Thatcher and Mr David Waddington, Home Secretary, made clear that the Lords would exceed its powers to reject the Bill, and said it would be forced through.

However, Tory peers have been assured by Lord Belstead, Leader of the Lords, and the Chief Whip, Lord Denham, that rules inhibiting the Lords from rejecting government legislation do not apply because both Houses had a free vote.

Parliament, page 8
Political sketch, page 22

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Pressure on Europe to follow Britain's pollution penalties

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

THE Government will today press European governments to follow Britain's lead in imposing severe criminal penalties against polluters.

Mr John Patten, Minister of State at the Home Office, is to tell European justice ministers in Istanbul of imminent legislation in Britain under which serious polluters could face unlimited fines and levels of compensation and up to two years in prison.

Under the plans, contained in the criminal justice White Paper and expected to be in a Bill in the next session of Parliament, magistrates will be given powers to impose fines of up to £20,000. Under the Government's proposals courts will be able to take account of the profits made by a company through its pollution activity in deciding what penalty to impose. In theory fines could run into millions of pounds.

Mr Patten is to argue that any attempt to weaken environmental standards in Europe must be resisted. He is to welcome a report from the West German Ministry of Justice which will form the basis for today's talks. He will, however, reject its call to allow polluters an incentive to earn immunity from punishment by taking remedial action.

He said yesterday: "This could weaken environmental standards by encouraging

risks to be taken on the basis that matters can always be put right later. Where the environment is concerned, they can not, and the cost of trying to do so is often greater than the polluter expected. We must retain expectation of severe penalties for causing environmental harm."

He added: "There is increasing public concern throughout Europe about activities which can damage the quality of life. In the UK we endeavour to use the criminal law to protect the public from actions which pose a threat to that quality."

It was prudent, he said, to take the preventive approach. He said: "If people ignore these laws we think they should be punished properly and that the punishment should take account of any profits or savings that have resulted."

Mr Patten plans to argue at today's Council of Europe conference of justice ministers that there should be a joint policy of prevention to combat environmental harm combined with severe penalties in the hands of the courts.

He said that the criminal law should be applied not just to cases where damage occurred but where activity was going on in a way that made the risk of environmental damage likely.

The Government is hoping

that its new powers will make the enforcement authorities, notably the National Rivers Authority, more likely to pursue action against the serious polluters.

Mrs Ann Taylor, Labour's environment spokesman, accused the Government yesterday of adopting a "high risk" strategy to the environment. "The Government is gambling on something turning up to solve environmental problems while it sits back and contributes to making them worse," she said.

The attitude of the Government on global warming is to do nothing and wait for other countries to take action. By that time it will be too little, too late."

Industrialised countries will be urged to meet the worldwide costs of tackling global warming at a parliamentary lobby to mark World Environment Day today (Ruth Gledhill writes).

Glenda Jackson, the actress and Labour candidate for Hampstead and Highgate, is one of a number of speakers scheduled to address the meeting, organized by the United Nations Association.

The lobby will focus on recent UN reports which have shown that global warming could raise average temperatures by 5 deg C, leading to floods, droughts and storms.

A SENIOR Opposition politician in the Irish Republic yesterday called for a new European treaty on extradition and increased co-operation between European police forces to combat IRA operations.

Mr John Bruton, deputy leader of Ireland's main Opposition party, Fine Gael, said the European Convention on the Suppression of Terror-

ism, under which IRA suspects could be extradited between member states, was "completely inadequate".

He added that Ireland's own

extradition legislation which,

since 1987, has been in confor-

mity with the European

Convention, was by implication also inadequate. Both

allowed certain offences to fall

under a so-called "political"

exemption which would prevent extradition.

Mr Bruton said he had

tabled a motion at the Council

of Europe calling for amend-

ments to the convention. His

call is the latest move by

Opposition leaders in the

Republic in their campaign for

reform of extradition law.

After decisions by the Su-

preme Court not to extradite

two convicted IRA men and a

third suspected of serious

offences in the past two

months, Mr Charles Haughey,

the prime minister, has come

under increasing pressure to

accede to demands for reform.

Early last month, Mr Des

O'Malley, leader of the Pro-
gressive Democrats who hold
two Cabinet seats in Mr Haughey's coalition Government, called for watertight arrange-
ments with Britain.

After the killing of two

Australian lawyers by the IRA in

The Netherlands 10 days ago, the Lichfield shooting in

which one soldier died and the

attack in Dortmund early on

Saturday in which an Army

major was killed, Mrs Thatcher

also renewed her public

pressure on Mr Haughey.

However, Mr Haughey and

Mr Ray Burke, the Minister

for Justice, have resisted calls

for a fresh look at extradition

law. Mr Haughey said recently

that he believed the 1987 Act

to be adequate and has since

indicated he would like to see

the Act tested before consider-

ing whether it needed

amendment. He faces a grass-

roots revolt in his party if he

commits himself to tightening

the law.

Mr Bruton also called for

greater co-operation between

European police forces to

counter IRA activity which

has capitalized on the ease

with which active service

units can commit violence in

one country and then quickly

slip across a border.

Recent IRA attacks in

Europe are expected to be

discussed at the meeting this

month of European interior

and justice ministers in Dublin.

The agenda includes inter-

nal security in the EC with the

removal of borders after 1992,

and improving relations be-

tween police forces.

● The Loyalist Ulster Volun-

teer Force said last night it had

killed a 60-year-old Roman

Catholic father of five at his

home early yesterday. It said,

however, the killing was a

mistake and the man was not

the intended victim. Mr Pat-

rick Boyle was playing cards

with his sons Michael and

Paul when two or three

masked men fired at them

through a window.

Mr Boyle, of the hamlet of

Anaghmore near Portadown,

Co Armagh, died almost im-

mediately. His son Michael, in

his mid-twenties, was de-

scribed as "seriously ill" with a

bullet wound to the stomach.

Paul was in a stable condition.

● Mr Gerry Adams, President

of Sinn Fein, the political wing

of the Provisional IRA, re-

fused yesterday to condemn

the murder of two soldiers on

Friday (Tom Giles writes).

While not condemning the

action of the IRA in shooting

Private William Davies, aged

19, at Lichfield, in Staffor-

shire, and Major Michael

Dillon-Lee in Dortmund, Mr

Adams stopped short of the

outright condemnation he af-

forded to the killing of the two

Australian lawyers.

Action on war crimes scheduled

What amounts to an unofficial war crimes trial is scheduled to open today in Edinburgh's Court of Session when *The Times* faces a £600,000 defamation action brought by Mr Antonios Gecas, a former mining engineer (Kerry Gill writes).

Mr Gecas, who came to Britain in 1947, is suing *Times* Newspapers following the publication of two articles which appeared in August 1987, in which it was alleged that he was involved in war crimes while a member of the Lithuanian Auxiliary Police Battalion during 1941.

Mr Gecas is expected to claim that he has been the subject of a smear campaign by the Soviet Union.

Top Tory quits

Mr John Mackay, chief executive of the Scottish Conservative party since 1987, said last night that he is to resign. He denied speculation that he was being considered for the post of CBI Scottish director and that he did not get on with the Scottish party chairman, Mr Michael Forsyth.

Listings limit

The television listings dispute enjoyed by *Radio Times* and *TV Times* will be ended on March 1 next year, the Government announced yesterday. The delay is to give broadcasters time to prepare for the supply of more information and to enable negotiation of fees.

King's Library

Mr Richard Luce, Minister for the Arts, announced the final phase of the British Library scheme will cost £150 million, bringing the total to £450 million by the time of completion in 1996. The central part of the final phase is to be the King's Library, George III's collection of 65,000 volumes.

Jail siege ends

An eight-hour siege ended peacefully after negotiations yesterday at Full Sutton maximum security prison, near York, when protesters dismantled makeshift barriers and went back to their cells. Police were called to the prison, which houses terrorists and dangerous criminals.

CORRECTION

A report in later editions yesterday about Mr John Martin, a founder member of the SDP, was accompanied incorrectly by a photograph of Mr John Martin, chairman of Martin The Newsagent plc.

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Yugoslavia D. 150; Sweden Kr. 150;

Yukon £1.50; Zimbabwe £1.50.



Irish Opposition ask Europe to act on IRA

By EDWARD GORMAN
IRISH AFFAIRS
CORRESPONDENT

A SENIOR Opposition politician in the Irish Republic yesterday called for a new European treaty on extradition and increased co-operation between European police forces to combat IRA operations.

Mr John Bruton, deputy leader of Ireland's main

Opposition party, Fine Gael,

said the European Convention on the Suppression of Terror-

Convictions on Sunday trading are quashed

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

SUNDAY trading convictions against two DIY stores were quashed at the High Court yesterday in an important judgement that could fuel a campaign to clarify the law on this point.

The case involved the sale of products worth about £4,250,000 and cost the taxpayer an estimated £100,000 in legal costs. In the action, brought by Peterborough City Council, Payless Ltd and W H Smith Do-It-All Ltd were convicted by magistrates in 1988 of breaches of the Shops Act 1950. That decision was quashed yesterday by two appeal judges, who said they had to take into account a recent European Court ruling on Sunday trading. Article 30 of the Treaty of Rome, promoting unfettered free trade within the EC, had to take precedence over the UK Shops Act "for the purposes of the present case", it was ruled.

The judgement came three weeks after another local authority won its High Court case for a temporary injunction banning Sunday trading at stores in the West Yorkshire towns of Huddersfield and Dewsbury. That injunction, against Wickes Building Supplies Ltd, was granted to Kirklees Borough Council pending a full hearing of its application for a permanent ban.

Million arthritics 'could be helped'

ONE million arthritis sufferers have never seen a specialist who might be able to ease their pain or even get them walking again, doctors said yesterday.

The Arthritis and Rheumatism Council said a survey it carried out showed about three million people were disabled—by arthritis in Britain. About half had not seen a specialist even though it might have affected their chances of avoiding disability.

Professor Paul Dieppe, a rheumatology consultant from Bristol University, estimated a million people with severe disability could still be helped substantially. The council's report cited dramatic cases of recovery in several "forgotten" patients who had been immobilized for years.

"One lady developed rheumatoid arthritis many years ago but received very little treatment. The pain and stiffness caused her to take to a wheelchair and she became severely disabled," it said.

"By the time she was referred to the rheumatology department she was almost totally immobile and dependent on family and friends to help her wash, dress and eat."

Professor Dieppe said: "The rheumatologists were able to help ease the pain and stiffness and to reduce disease activity by the use of drugs and other therapy. The physiotherapists and occupational therapists got working on joints, muscles and functions and soon had her walking. After three weeks intensive treatment she was independent again."

He criticized the view that arthritis was "just part of getting old". The report, published at the launch of National Arthritis Week, said many more consultants were needed to treat patients.

Mersey had only 51 per cent of the optimum consultant cover while Northern Ireland had only 46 per cent.

Samantha Hellwell, aged four, of Mill Hill, north London, and Lee Cameron, aged six, of Bromley, south London, attended the council's conference in London to dispel the myth that arthritis was purely a disease of old age.

Prince aims at ethnic minority firms

By ALAN HAMILTON

THE Prince of Wales will host a dinner tonight at Kensington Palace to encourage ethnic minorities to become more involved in his scheme for helping young businesses. It has now become the largest charitable fund of its kind in the world.

Since its inception in 1986, the Prince's Youth Business Trust has helped more than 8,000 young entrepreneurs to start up their own businesses. Two-thirds of them were still trading after two years.

An appeal for funds launched on the Prince's 40th birthday 18 months ago has reached its target of £40 million which will be matched pound for pound by government grants to bring its income up to £80 million over a



Mr Keith Davies, production manager at the Royal Mint in Llantrisant, Gwent, carrying out quality control checks yesterday as the first commemorative £5 coin in Britain's history was struck. The coin, and some millions like it, will be available through banks and

post offices from August 4, to celebrate the 90th birthday of the Queen Mother (Robin Young writes). The Royal Mint has previously struck £5 coins, of smaller diameter in gold and silver alloys, to be sold at premium prices in brilliant and uncirculated condition

to collectors. The coins issued at their face value of £5 in August will be the first £5 coins released into general circulation, but there will also be limited editions for collectors at premium prices in gold, silver and cupro-nickel. The Queen Mother's birthday coin is the same

size as previous issues of commemorative crowns which had a nominal value of five shillings or 25p. The last commemorative crown was issued in 1981 to mark the wedding of the Prince and Princess of Wales. The Royal Mint pointed out that the value of five shillings in 1951, when the first post-war crown was minted, is £3.27 today. "We thought it was time to increase the value of commemorative issues to take account of the change," a spokesman said. Coincidentally, the Bank of England will today unveil its new £5 note.

Councils challenge poll tax right to cap

By DAVID SAPSTED

A FUNDAMENTAL challenge to the poll tax will be mounted in the High Court today by Labour-controlled local authorities which will argue that the Government has "utterly undermined" the whole basis of the community charge with a formula to cap 21 councils.

In a judicial review being sought by 19 of the Labour councils facing capping, the local authorities will contest the retrospective element of the Government's action and will argue that the process undermines the reason ministers gave for introducing the charge in the first place: local accountability.

Mr Peter Challis, a spokesman for the Local Government Information Unit, said yesterday: "From the moment the capping announcement was made, leaders of the capped authorities voiced their opinion that their authorities had been treated unfairly. Despite repeated requests, the Secretary of State for the Environment refused to say what formula he would use for capping."

In court the authorities will be arguing that the Secretary of State's use of SSAs [standard spending assessments] is inappropriate for selecting councils to be capped. The Government has acknowledged the inadequacy of SSAs and is to review them.

"Caps will mean cuts and councils are unhappy that their communities may be deprived of services they were elected to provide."

Opposing groups join for study of family breakdown

By NICHOLAS WOOD, POLITICAL CORRESPONDENT

AN ATTEMPT to establish some common ground about the breakdown of the traditional family is to be made by two leading think-tanks from opposing ends of the political spectrum. The free-market Institute of Economic Affairs (IEA) and the Joseph Rowntree Memorial Trust have decided to join forces to see if they can agree the facts.

They will try to resolve one of the key controversies surrounding the rapid growth in one-parent families over the past 10 years: to what extent children are adversely affected by divorce or being brought up without a father. The study will also examine the factors behind rising divorce and illegitimacy rates, in particular the effects of liberalization of divorce law and the impact of state benefits.

Dr David Green, head of the IEA Health and Welfare Unit, said: "This is an attempt to agree on facts and causes among people from both left and right who do not agree on the remedies."

The Family Policy Studies Centre had been commissioned to conduct the study, with the IEA and the trust forming a steering group to monitor the project. This would include a review of research conducted by the National Children's Bureau, which had followed the progress of a sample of children since 1968.

Dr Green said he believed that the research showed that children from broken homes were physically shorter than their peers, did less well at school and were more likely to become involved in crime.

"Petrushka is very popular in the West, but I believe that Westerners to a great degree idealize it."

Petrushka is the story of a fairground puppet which comes to life and falls in love, but loses the immortality of a marionette and dies. "Petrushka stands in the way of the crowd only to be ignored. Only after death do the people hail Petrushka."

Mr Vinogradov said he would draw comparisons with present events in the language of the choreography in the new work, premiered in Paris last month and not yet seen in Leningrad.

He said the fate of Petrushka was the same as that of Andrei Sakharov, the dissident scientist who died last year. "Only after he died did the people realize what he meant to them."



Mr Vinogradov: "No one knows what to do."

Police campaign 'will exacerbate crime fear'

By QUENTIN COWDRY, HOME AFFAIRS CORRESPONDENT

A POLICE advertising campaign, which states that just 60 youths are responsible for about 90 per cent of the street crime in a London area with a population of 1,300,000, was said yesterday to be more likely to promote than reduce public anxieties about crime.

The campaign, devised by the advertising group Saatchi & Saatchi, is one of the first high-profile attempts by police to address fear of crime in the context of a crime prevention and detection initiative.

Billboard posters in three north London boroughs will urge residents to contact the police if they have information about any of the "60 people". The posters, with the message reinforced by local radio advertising, add: "If you know one of them and do nothing, that person is free to assault, mug, rob or even kill someone in your family."

Launching the campaign, part of a co-ordinated, police offensive against muggings and other street crimes in Haringey, Islington and Enfield, in north London, Mr Walter Borham, a Metropolitan Police deputy assistant commissioner, said the adver-

tisements were partly aimed at ease fear of crime by putting the problem into perspective.

The charity Victim Support

said, however, that the message would backfire. "Warning people that muggings and murder are imminent inevitably reduces the quality of life in a locality," Miss Helen Reeves, the director, said.

She described it as a "classic example" of how crime prevention and detection strategies could exacerbate fear of crime.

Twenty-nine of the hard-core of muggers have been arrested, but police say lack of evidence is preventing them charging more. Detectives say the ringleaders often put pressure on younger youths to commit crimes for them.

In one recent example, a boy aged 12 had been thrown into an open grave by muggers determined to enlist him. Three people have died in street crimes in the past 18 months. It emerged yesterday that on at least two occasions since the initiative started, plainclothes officers were mugged while conducting surveillance.

Recorded street robberies dropped 10 per cent from 20,300 to 18,200 throughout the capital in the year to March 31 but, until recently, their number has remained high in the less prosperous parts of north London.

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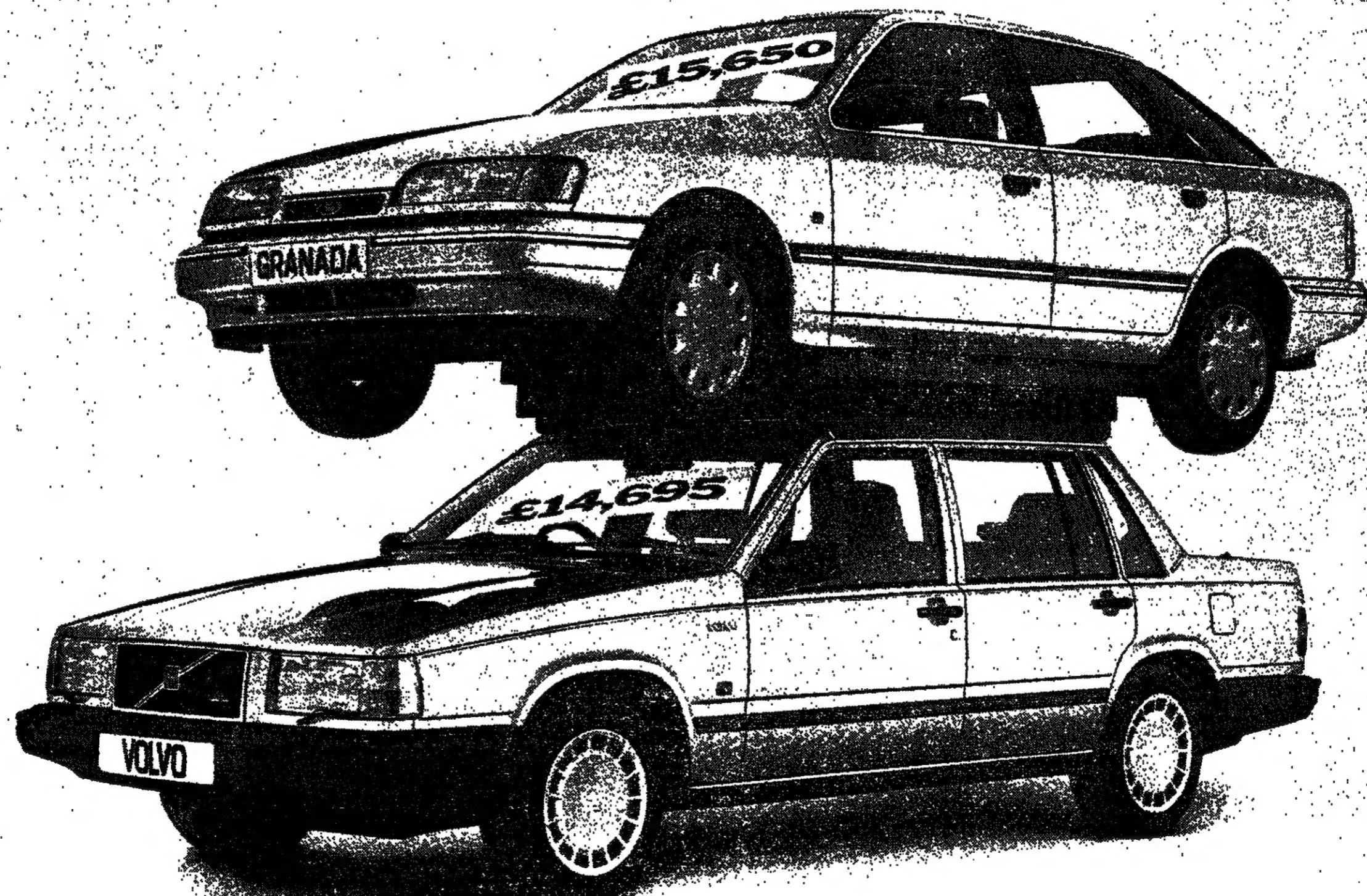
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الرجل العظيم

Shelter puts forward a vision of quality low-cost housing

By CHRISTOPHER WARMAN,
PROPERTY CORRESPONDENT

A NATIONAL neighbourhood housing movement for poor households has been proposed in a report published today by Shelter, the national campaign for the homeless, in response to what it sees as Britain's growing housing crisis.

The report, called *New Ideas for Housing*, was timed to coincide with National Housing Week. It has set out an alternative vision of permanent, low-cost quality housing instead of the present housing policy's emphasis on market forces. The authors, Mr Michael Harloe, of Essex University, and Ms Maartje Martens, of the University of Delft, in The

Netherlands, said present developments in housing policies and markets were reducing the supply of affordable housing for significant sections of the population.

With the break-up of council housing, there was no basis for believing tenant choice or control would be enhanced simply by a change of landlord. The authors feared security and affordability could be reduced by the changes, and proposed a neighbourhood movement as an alternative.

That would involve a network of existing and new locally based organizations working together to expand the supply of housing for low and moderate income households. After examining housing

New Ideas for Housing available from Shelter, 88 Old Street, London EC1V 9HU; £6.95 plus 60p p&p.

projects in Europe and the United States, they recommended that only neighbourhood organizations could take full account of local conditions.

At the same time, however, there would be a need for a national framework of policies and legislation to reinforce local initiatives. Such a movement would seek to develop a wide range of housing, taking into account the growing need to combine home and work and new forms of group and

communal living.

Some of the housing would be rented from housing associations and local authorities, and others in co-operatives and forms of co-ownership. The movement would aim to link housing investment to neighbourhood revitalization, and establish a growing number of locally based housing developers and institutions committed to investment in their areas.

Existing organizations, such as housing charities, housing associations and building societies, would be used, while local authorities would probably be avoided. The authors said that was because they doubted "whether many local authorities will feel inclined to

initiate a neighbourhood housing movement, or in practice be allowed by central government to take on such a role".

They said that many of the projects examined had tried to provide forms of housing which break with some of the rules, constraints and adverse consequences of state and market dominated mass housing provision.

• A campaign called *More Land For Homes*, which wants to draw attention to the need to make enough land available for building in order to avoid a housing crisis, has won support from Britain's leading building societies, house-builders and building material producers. Campaign leaders yes-

terday said too few homes were being built at too high a price and feared that, when mortgage rates fell, most houses for sale would be snapped up at premium prices. This would make it difficult to find a home or to afford one.

Mr Alan Cherry, chairman of the campaign, said: "We are planning to build fewer homes in Britain than at any time since the war, nowhere near enough to meet predicted demands."

He said more land must be made available in neglected areas on the edge of towns and villages and unused areas owned by public bodies, as well as open countryside.

Leading article, page 13

JULIAN HERBERT

Edinburgh 'in grip of silent HIV epidemic'

By KERRY GILL

EDINBURGH is in the grip of an HIV epidemic among the heterosexual community with an estimate that one in 100 men and one in 250 women between the ages of 15 and 40 may already be infected.

Dr Graham Bird, a senior lecturer at Edinburgh University who runs the HIV Immunology Laboratory, said the idea that only drug misusers and homosexuals could be infected with HIV was out of date and had been conclusively disproved.

"Edinburgh is in the middle of an HIV infection. It is in the grip of a silent epidemic and this epidemic is going to become visible and then people will realize and start acting accordingly," Dr Bird said.

He said that about 1,100 people of a population of about 500,000 (about one person in every 450) had HIV infection and about a third of these were females. About 750 infected males were between the ages of 15 and 44, with the majority between 20 and 30. It was believed that the majority would develop AIDS.

Last night Professor Michael Adler, of Middlesex Hospital, London, said: "I have been aware of these figures. They carry a very serious lesson for anyone engaged in

health education who might be tempted to sit back on their laurels."

Dr Bird said at the launch of an education campaign on the disease, that the "people of Lothian forget the real risk of heterosexual spread at their peril. Heterosexual spread is a reality in Scotland, and Lothian in particular."

"In the last year alone, 16 of the 92 newly recognized HIV-infected individuals in Lothian were identified as having acquired the virus heterosexually and in only a minority was sexual transmission from an identified drug-user or bisexual," he said.

Twelve of the 16 people infected through normal sexual activity were women. Cases had been recorded in Lothian of individuals being infected after a single episode of heterosexual intercourse.

Experience from abroad suggested that where there had been a rapid spread of infection due to needle-sharing among drug abusers a second wave of heterosexually acquired infection followed.

"Already in the US, the total number of AIDS cases attributable to heterosexual transmission equals the total identified amongst homosexual men up until the end of 1983 and continues to rise at a similarly rapid rate. These observations have a direct relevance to the population of Lothian," Dr Bird said.

He added that advances in understanding the dynamics of transmission suggested that 1990 was a particularly important time for the prevention message. "Several recent studies provide evidence that the infectiousness of individuals increases as their immune system breaks down."

Professor Adler said the message for the prevention campaign, coming from the figures on the patterns of infection in Edinburgh, was that needed exchange schemes and education programmes must be strengthened. The Edinburgh experience indicated how the second wave of infection would come through misusers of intravenous drugs.

He issued a warning that the picture in Edinburgh could be mirrored in other cities if they failed to adopt preventive measures, especially needle exchange schemes. The high proportion of women in the infected population differed from circumstances in London, which had about 75 per cent of all cases but which were still confined mainly among homosexuals.

The engineers believe that by having two pilots and an

Engineers switch unions in debate on pilot numbers

By HARVEY ELLIOTT, AIR CORRESPONDENT

THE question of how many pilots should operate the new long-range passenger jets coming into service is to be reopened next month when 600 flight engineers join the pilots' union Balpa.

Manufacturers such as Boeing were confident they had reached full agreement with airlines which intended to buy the new 747-400. The aircraft can be flown for 13 hours non-stop with two pilots at a time on the flight deck.

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'No evidence' of abuse ring

THERE is no evidence that an organized nationwide group is behind attempted child abuse by bogus social workers, police said yesterday. Only 18 of 173 reports since January are now considered sinister, Mr Martin Davies, Assistant Chief Constable of South Yorkshire, told a news conference in Sheffield.

After a second meeting between 42 detectives from forces throughout the country he said: "It does not appear

that there is any organization or organized body behind these particular incidents." He said 18 cases were "causing concern" but admitted some instances may never be resolved.

A central information room was set up in Rotherham, South Yorkshire, to collate information since the first incident in January. Police believe the mushrooming reports from worried parents may be based on fear.

"There is an element of fear but I would not want to take it further than that. People should continue to bring matters to our attention if they are concerned," Mr Davies said.

According to the St Mungo Association, a charity operating among the homeless of north London, and the Salvation Army Housing Association, the sponsored sleep-out aims to raise at least £500,000, which will be used to help build new hostels and apartments for the homeless in London and elsewhere.

Each year about 120,000 people in Britain are officially registered as homeless, of whom about 37,000 are found accommodated by the Department of Social Security. Others move in with friends and acquaintances but, according to charity officials, many thousands slip through the DSS net, especially single people of working age. Estimates of those sleeping rough on the streets of London each night vary wildly between 700 and 10,000.

According to the St Mungo Association, the number of hostel beds in London has fallen by 5,000 in the last 10 years. The association plans to use the money from Sleep-Out Week to help build three new hostels in Haringey, north London. The Salvation Army wants to build more apartments for the single homeless in London, Derby, Manchester and other towns.

Concorde charters cancelled because of Heathrow strike

By OUR AIR CORRESPONDENT

BRITISH Airways has cancelled money-spinning charter flights on Concorde because of the strike by aircraft engineers at Heathrow.

One group of 100 tourists who had travelled to Istanbul on the Orient Express were temporarily faced with a flight back on a subsonic aircraft before being "rescued" at the weekend by Air France, which provided a Concorde for the return journey. Air France will be asked to continue to supply Concorde for BA charters until the strike is settled.

The supersonic jet takes longer to service than other aircraft in the fleet, so the airline has decided to concentrate resources on ensuring the scheduled transatlantic Concorde services take off on time.

It has told tour operators that it will try to arrange substitute trips with Air France instead.

BA said yesterday: "Concorde is a very labour-intensive aircraft and takes four or five times as long to maintain as others in our fleet. We have therefore decided to maintain

of which are at risk. Mr Colin Mitchell, managing director of the tour company, said he had hired the French Concorde after BA had told him there was no aircraft available because of an industrial dispute. "We made the booking with BA 12 months ago. They told us on Saturday that the flight had been cancelled and our passengers would be repatriated on a 737, but they could only offer us a flight leaving five hours earlier, which would have meant our clients missing a half-day tour of Istanbul," he said.

Mr Mitchell added that hiring the plane from Air France would cost an extra £35,000 because the plane had had to fly empty from Paris to Heathrow to pick up outgoing passengers.

"The comfort and safety of our passengers always takes priority and therefore our staff pulled out all the stops, regardless of cost, to ensure that the tour ended successfully. I am most grateful to Air France for making a plane available at such short notice," he said.

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Health Departments' Chief Medical Officers

Ashdowns join the London homeless

By ALAN HAMILTON

DESERTING their marital bed for a night under the stars, Mr and Mrs Paddy Ashdown prepared to spend last night in separate cardboard boxes. Lady Howe, wife of the Leader of the House of Commons, also bedded down al fresco but Sir Geoffrey chose to remain tucked between warm sheets.

National Sleep-Out Week, which began last night on the steps of Westminster Cathedral and in parks, waste ground and back gardens throughout the country, is intended to draw attention to the plight of the homeless and raise funds for more roofs over their heads. An estimated 15,000 people, between now and the weekend, will be sponsored by family and friends to desert their beds for a night in the open air.

Homelessness is now a sufficient issue to have penetrated soap opera scripts. Diane Butcher, made homeless in EastEnders, joined last night's main sleep-out at Westminster in the person of Sophie Lawrence, the actress who plays the part. A cause is not a cause, however, until it has figured in *The Archers*. Poor Lucy Perks, homeless in Ambridge, also joined the pavement dwellers in her real-life persona, the actress Tracy Jane White.

Organized by the St Mungo Association, a charity operating among the homeless of north London, and the Salvation Army Housing Association, the sponsored sleep-out aims to raise at least £500,000, which will be used to help build new hostels and apartments for the homeless in London and elsewhere.

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Quick snap: Miss Sharon Galt, aged 21, waiting yesterday to cut customers' hair on Brighton Pier, perhaps the world's smallest barber's shop

Cliff fall man was 'extra fit'

A holidaymaker who fell 100ft down a cliff and was left stranded on an exposed ledge for three days may have survived because he was an extra-fit martial arts fan. Friends of Mr Adrian Davis, aged 29, of Northolt, London, said his fitness might have made the difference between life and death as he lay 15ft from the sea at Torquay.

He was finally spotted,

suffering from severe exposure and multiple injuries, by a man who was walking a dog, and was rescued by helicopter.

Yesterday he was transferred

from Torbay Hospital to Derriford Hospital, in Plymouth, for specialist treatment.

Backlog clears

Sealink said yesterday that it had cleared the weekend backlog of passengers stranded in France by the company's dispute with crews on its French-operated ships on the Dover-Calais route. Crews of two vessels remain on strike.

Worker trapped

A cleaner underwent emergency surgery after his arm was trapped in a machine for 38 hours. Mr Joseph O'Hara, aged 46, was pinned to a conveyor belt by a metal roller at a factory in Middleton, Greater Manchester, on Saturday. His cries went unheard until workers arrived yesterday.

Farmer bailed

A farmer aged 50 has been questioned by police about an alleged attempt to sabotage work on the £1.87 billion Sizewell B nuclear power station project. He was released on bail.

Fraud charges

Mr Les Huckfield, the former Labour Euro-MP for Merseyside East, has been accused of criminal deception totalling more than £2,500. He was released on police bail to appear before magistrates at St Helens on July 11.

Pony attacked

A spike or barbed wire was used to gouge out the right eye of a prize Shetland pony in a field at Pitsea, Essex. The pony was left bleeding for more than a day before its owners returned.

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**BOUNDLESS
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THE TIMES TUESDAY JUNE 5 1990

HOME NEWS

7

Parkinson leads call for coach seat belts

By MICHAEL HORSNELL

MR CECIL Parkinson, Secretary of State for Transport, led demands yesterday for European harmony over the introduction of seat belts for coaches, as British investigators joined the inquiry into the death of 11 holidaymakers in France.

With two European Community moves on safety belts in the offing, Mr Parkinson said: "We must use this awful tragedy as further evidence to the effect that the Community must put forward and support proposals for seat belts in coaches."

Seat belts could possibly have reduced the carnage caused by the crash, which happened near Joigny on the A6, south-east of Paris, on Sunday. French police have said it was caused by a burst tyre when the double-decker vehicle was probably travelling at excessive speed. A proposal will be put before the Council of Ministers on July 24 recommending mandatory seat belts in the front seats of coaches.

That was regarded in Whitehall as a minimum first step. In the meantime, it has been announced that Mr Karel Van Miert, European Commissioner for Transport, is to examine a proposal by the British Euro MP Mr Stanley Newens (Labour, London Central) for compulsory belts on all seats. Mr Parkinson said: "We have been arguing as a Government for some time now within the Community that we should have seat belts, and we have met a lot of resistance."

The French, who yesterday were waiting to interview Mr John Johnston, aged 42, of Chell Heath, Stoke-on-Trent, Staffordshire, is the seriously ill driver of the coach, have told

Action plea on British transport investment

By JOHN YOUNG

BRITAIN is not being positive enough towards investment in transport infrastructure, Mr Karel Van Miert, EC Transport Commissioner, said yesterday.

There was a real danger that the Single European Market, due to come into effect in 2½ years, would not work if roads, railways and air transport were unable to cope with the expected volume of traffic.

Transport inadequacies had been accentuated by the political transformation of eastern Europe, which were certain to have a dramatic effect on future internal European trade, he added.

Mr van Miert, who was attending a seminar in London organized by the Chartered Institute of Transport, said the commission was anxious to see more traffic switched from road to rail. Improved high-speed passenger services were not enough; there was an even more urgent need to improve freight services.

"The problem for the whole of the EC is that the rate of investment in infrastructure has been decreasing, while traffic is increasing all the time," he said. "If there is not a big increase in infrastructure, we will be faced in two years' time with an awful traffic crisis."

The Channel Tunnel was a vital link in the network and Britain would have to live with the resulting environmental troubles. The Commission was concerned to see the development of high-speed rail services, particularly for freight, on both sides of the Channel. Decisions had to be made quickly, he emphasized.

In the German Democratic Republic, for example, three-quarters of all freight was at present carried by rail, and it was essential to ensure that future traffic between east and west Europe was not offloaded onto an already overcrowded road system.

Asked about safety, in the light of Sunday's coach crash in France in which 11 British holidaymakers died, Mr van Miert said the Commission had put forward proposals for standard speed limits throughout the EC, but they were being blocked within the Council of Ministers, notably by West Germany.

The Commission wanted to introduce several safety measures, particularly for coaches and lorries. As well as speed limits, those could cover tyre depths, the compulsory use of seat belts on coaches, and possibly mechanical restrictions on the speed at which large vehicles could travel.

opposition to compulsory seat belts. Only Turkey and Portugal have a rate of deaths caused by road accidents comparable with France, where the latest official figure of 196 people killed for every one million inhabitants (about 10,000 per year) is roughly double that of Britain.

A rule to force coach manufacturers to fit stronger roofs was due to become law last month. Then Eurocrats suddenly declared the regulation unnecessary and it had to be postponed.

A spokesman for the Department of Transport in London said: "We want there to be compulsory belts on all seats, but this is something we cannot do because it has to be done through an EC directive. We have been pressing for this to happen within the EC but we haven't managed to persuade everyone, particularly the French, that this would be a good idea. Belts on front seats may be the only thing the French will accept."

Two specialist engineers from the vehicle inspectorate of the Department of Transport joined French police inquiring into the crash as relatives of the dead and injured flew out to see the survivors. British consular staff were trying to make arrangements for people planning to travel home.

The coach was operated by Montego European Travel, of Leek, Staffordshire, which started business two months ago with two vehicles. It was carrying more than 70 passengers and two drivers back to the Midlands from holidays in Spain.

Survivors and witnesses have said the driver appeared to lose control of the coach after a puncture. There has been speculation that it may have been exceeding the 90kph (56mph) speed limit for coaches on French motorways, a restriction said to be frequently ignored.

The passengers, some of whom were trapped for up to five hours in the twisted wreckage, were going home after a 10-day holiday on the Costa Brava. They had been picked up in the three resorts of Salou, Lloret de Mar and Pineda.

Seven of the most badly injured victims were taken by helicopter to France's leading casualty hospital at Garches, outside Paris. The rest were taken to hospitals in Joigny and Auxerre.

Two of the dead had still not been identified yesterday. All the bodies were being kept at the mortuary in the town of Auxerre near by.

Mrs Linda Baddeley, a Montego director, said the coach, a Van Hool 73-seater on hire to Pineda Travel, of Dawley, Telford, Shropshire, was "absolutely roadworthy".

French investigators are understood to have studied the double-decker coach's speed recorder after the speculation that it was being driven at almost 80mph.

A team of paramedics highly trained in life-saving techniques will take to the roads in South Yorkshire on June 18 in an attempt to cut the number of deaths which occur before patients reach hospital. The team, travelling in specially equipped vehicles, would be the first to arrive at serious accidents and life-threatening emergencies.

A spokesman for the country's ambulance service said the launch of the paramedic scheme was to reduce deaths associated with pre-hospital emergencies. The paramedics would have advanced skills in intubation, infusion, cardiac monitoring and defibrillation.

Crash dead are named

SIX of the dead in the French coach crash came from the Telford area of Shropshire, it was disclosed yesterday. Staffordshire police have named nine of the people who died when the coach skidded off the A6 motorway on Sunday and overturned into a ditch near Joigny, about 80 miles south-east of Paris. They were:

Ronnie James, of Stinchley Park, Telford; Christina Yates, of Sutton Hill, Telford; Theresa Sanders, of Stinchley, Telford; Kathleen Jones, of Sutton Hill, Telford; Christopher Ware, of Harrington Heath, Telford; Thomas Orme, of Wolverhampton, West Midlands; George Evans and his wife Joan, of Ford Houses, Wolverhampton; and Michael Reynolds, of Oldbury, West Midlands.

The names of two other women who died in the crash have not yet been disclosed. A full list of the injured should be released shortly.



Technicians hanging a work by Jean Metzinger, "Woman With a Pheasant", ready for the summer exhibition "On Classic Ground" at the Tate Gallery, London

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Dr Tessa Murdoch, curator of the Courtland silver, preparing a display of the family silver at the Courtland Institute Galleries. The collection was made by three generations of the Courtland family between 1710 and 1778

Ridley hails Japan's expanding base for vehicle production

By KEVIN EASON, MOTORING CORRESPONDENT

ALMOST all of Britain's expansion in motor vehicle production in the 1990s will be by Japanese manufacturers. Mr Nicholas Ridley, the Secretary of State for Trade and Industry, said yesterday.

At a ground-breaking ceremony for a £700 million Toyota factory in Burnaston, Derbyshire, he said that he expected last year's 1,300,000 car output to reach two million before the end of the decade.

The 580-acre site at Burnaston will account for much of the expansion, producing 200,000 mid-range

cars a year with engines of about 1.8 litres. Nissan, already operating at Washington, Tyne and Wear, could be making 400,000 cars by the end of the decade and Honda anticipates making 100,000 cars a year at Swindon by 1994.

Production at Burnaston, where clearance work started last month, is intended mainly for export and will begin in December, 1992. The plant will employ more than 3,000 workers. Toyota is also investing £140 million in a new engine factory at Deeside in North Wales, which will em-

ploy 300 workers. Mr Ridley said many more jobs would be created in Britain and overseas by Toyota's investment.

"We are a country with very low costs, excellent workers and good productivity. Since 1980, productivity in the car industry has gone up by 80 per cent, so that our levels are even better than those in Japan. We expect cars to be exported to Japan from this plant. Britain is an excellent base from which to exploit the advantages of the single European market."

Mr Ridley's greatest hope was that the Toyota plant

would attract a large number of component suppliers. Company executives, however, said that millions of pounds worth of components would be imported to service the two new plants until they reach full output.

Up to 40 per cent of components could be brought in to Toyota's plant initially, including transmissions from Japanese factories. Japanese Embassy officials said Britain would be the entry point for more Japanese investment. Their predictions followed figures from the Invest in Britain Bureau, showing that up to the end of March this year almost 38 per cent of Japan's European Community investment was in Britain.

Toyota said that it hopes that its 155mph Lexus LS400 saloon, Japan's first attempt to move into the luxury car market in Britain, will sell well against its rivals Jaguar, BMW and Mercedes.

Lexus has already sold 24,000 cars in the US since September, but British importers do not expect sales here to top 800 in the first year. Lexus has won two awards: US Imported Car of the Year and Japan Car of the Year, and costs £34,250.

has discovered in exhaustive tests that although an all-plastic engine may not yet be feasible, some components could be made of fibre-reinforced plastics to achieve greater weight savings.

One of the four engines built at the company's research centre at Dunton, Essex, has run on a test bench for 200 hours, including one spell of 40 hours. This is equal to driving at top speed continuously for more than 3,500 miles — three times the distance from London to Rome.

That has proved the strength of the plastic materials but Ford engineers say only certain components will be made of out plastic in the next few years.

Ford develops plastic engine

FORD, Britain's biggest car company, has developed a plastic engine which is undergoing tests in its best-selling Fiesta model (Kevin Eason writes). The car could herald an age of super-quiet saloons with large weight savings yielding greater fuel economy.

Ford said the only metal used in the one-life experimental engine was in the combustion chambers, the cylinder walls and the moving mechanical parts, making the power unit 30 per cent less noisy than an equivalent aluminium or cast iron engine.

The three-year research programme has been a joint venture with universities and parts manufacturers, and with some funding injected by the European Commission. Ford

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Deep unease in Lords on War Crimes Bill

THE deep unease among peers about the wisdom of proceeding with the War Crimes Bill became clear yesterday as the House of Lords embarked on its long second reading debate.

Lord Shawcross, a prosecutor at the Nuremberg trials, said to cheer: "Of course we can revive the policy of retribution, but we cannot in my view do it without imposing an indelible blot on every principle of British law and justice."

Nearly 70 peers had indicated their desire to speak and many questioned whether justice could be done so long after the event.

Under the Bill, alleged war criminals who are now British citizens or residents in Britain but who were not under British jurisdiction at the time of the crime could be prosecuted in British courts.

Karl Ferrers, Minister of State, Home Office, moving the second reading of the Bill, said that the Commons had clearly decided on a free vote that legislation should be introduced.

Most had believed that the matter had been relegated to the history books and to the mists of time. To resurrect it and, with it, the past, the pain, the agonies, memories and animosities entailed, was something of which they would have chosen to happen. But life did not always throw up easy options and, like it or not, the terrible facts were before the House and the Government felt it right to introduce the Bill and to accede to the overwhelming opinion expressed by the Commons. Peers would be unfettered by party whips in their votes.

The real evil of retrospective legislation was when the law was changed to make someone liable to prosecution and punishment for an act which, at the time he committed it, he had no reason to believe was wrong or, in this case, criminal. But this Bill was concerned with people who must have known that they were committing murder under the laws of every civilized nation and offending against the laws and customs of war.

There was no immutable reason that decisions taken in 1945 not to have any more trials should necessarily be regarded as binding now. "We are not concerned with revenge. We are concerned with justice, enabling justice to be done in the face of terrible crimes." Cases would come to trial only with the consent of the Attorney General or, in Scotland, the Lord Advocate.

Toyota said that it hopes that its 155mph Lexus LS400 saloon, Japan's first attempt to move into the luxury car market in Britain, will sell well against its rivals Jaguar, BMW and Mercedes.

LEXUS HAS ALREADY SOLD 24,000 CARS IN THE US SINCE SEPTEMBER, BUT BRITISH IMPORTERS DO NOT EXPECT SALES HERE TO TOP 800 IN THE FIRST YEAR. LEXUS HAS WON TWO AWARDS: US IMPORTED CAR OF THE YEAR AND JAPAN CAR OF THE YEAR, AND COSTS £34,250.

The Government believed that they could not just shut their eyes to the terrible crimes committed or act as though the mere passage of time was, of itself, justification for taking no action.

Other countries had changed their laws when confronted with similar evidence and it would be unfortunate if the UK, with all its international standing for justice and integrity, should, in the words of the inquiry, "be tainted with the slur of being a haven for war criminals".

LORD CAMPBELL OF ALLOWAY moved an amendment declining the Bill a second reading on the ground that it would afford retrospective legislation in respect of war crimes committed 40 years ago, outside the United Kingdom, by persons who owed no allegiance to the Crown without a reasonable assumption of a fair trial and no appropriate punishment on conviction.

He said that retrospective legislation claiming jurisdiction over acts committed in 1939 to 1945 by those who owed no allegiance to the Crown was contrary to international custom and was unjust. Murder was murder in any country, but jurisdiction to trial was sovereign and domestic and thereby lie the injustice of what was proposed in the Bill.

There was also an assumption that the crimes alleged were in breach of laws and customs then applicable. They were not and therefore they were not triable in law as war crimes. They were acts of genocide.

Crimes against humanity, albeit committed in times of war, were not defined in conventions until 1948 and 10 years later the Genocide Act was passed in the United Kingdom.

Those who had read speeches made previously on the subject in the House by lawyers and the reaction of peers to them, might conclude that a fair trial was "just not on".

If that conclusion is right, if that conclusion, supported by a body of opinion of the Lords, is right, it is idle for anyone, even the minister, to support the Bill, whatever the opinion of the Commons.

It must be a priority that a man charged with those dreadful crimes should be fairly charged and that there should be no consideration of politics or constitution in the way of the trial.

LORD IRVINE OF Lairg, Opposition spokesman on home affairs, said that the crimes committed were on an unimaginable scale and character that in principle they cried out for punishment. But would the enormity of the allegations lead to a debasing of our system of justice?

"It is no gib to say: 'Trust the judges and the jury.' It is not a matter of trust, it is a question of whether the task of doing justice between victim and accused is one that ought to be imposed upon a jury."

He was not so worried by the question of retrogression because the Bill proposed the conferring of jurisdiction on the courts without any change in substantive law. There was no

hours of these appalling events reached Britain and were largely dismissed. Some said: "The Jews are complaining, they are probably exaggerating."

To reject the Bill would be "to give a signal which we might come to be very ashamed".

LORD CALLAGHAN OF CARDIFF (Lab), the former Prime Minister, said that peers could have their "bit at the cherry" without being a challenge to the supremacy of the Commons.

Peers had a right to tell the Commons that their experience led them to a particular conclusion that should be taken into account when the matter was taken further. That was not a challenge to the constitutional process, but expression of a deep conviction.

"I hope we shall ask the Commons to think again about this matter. I do not think the Government for bringing the Bill before Parliament in order to secure its opinion."

It had been suggested that justice should be provided over other considerations. He would ask those who supported the measure to consider the likely course of events if it were rejected.

The Bishop of Southwark, the Right Rev Ronald Bowly, urged reconsideration of extraditing alleged offenders from within the Soviet Union.

The question was not whether the House could, but whether it should, reject a Bill that had received overwhelming support across all parties in the Commons. If the amendment were passed, it would be the first time since the Parliament Act, 1949, that the House of Lords had rejected outright a government measure that had received second and third reading in the Commons.

The view of the Commons in passing the Bill could be an important consideration against outright rejection. He could not

have any regrets for having extradited suspects, after very careful screening, to almost certain death, probably without trial in communist countries, but it was plain then, beyond doubt, that this process of retribution could not go on for ever.

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The view of the Commons in passing the Bill could be an important consideration against outright rejection. He could not

Desperately seeking answers in the Arafat slipstream

WHEN people know you have spent a year making a film about Yasir Arafat, the question they ask most often is: "Are you ever afraid?" In fact, in his manner, Arafat is one of the less threatening people you are likely to meet.

Making a documentary of Arafat takes endurance, not courage. We had flown into Tunis for a scheduled interview to begin our filming. But Arafat was in Baghdad. The film opens with a Tunis to Baghdad telephone call. It is 2am and Arafat seems to think the only way we can get a connection in Baghdad in time to meet him is to find a boat to Paris. We agree instead to fly separately to China where he is due for a state visit, then fly back together in his borrowed Iraqi jet.

This scene must cause great pain to BBC accountants. But at the time it seemed the ideal trip. We would film behind the scenes in an exotic location while the terrorist-turned-statesman wheeled and dealed, then have him as a captive interviewee for the hours it took to fly back to the Middle East. The latter was the most alluring. Arafat grows bored in interviews and will often stand up, uncip his microphone and thank you as he walks out.

But the Chinese Foreign Ministry called Arafat while we were somewhere over Pakistan and said: "We cannot receive you, the students are causing trouble." We headed back to Tunis, arriving in time to board his borrowed Iraqi jet and set off to the summit in Casablanca. But the China trip did pay off. Arafat takes everything personally.

After a year trailing Mr Yassir Arafat for a BBC1 documentary to be screened tonight, Marie Colvin gives a personal view of man who heads the Palestine Liberation Organization

Had we decided not to go it would have signalled a lack of commitment, however well-founded our misgivings.

When we finally caught up with him, he owed us one. We were instantly famous in PLO ranks as the crew that had gone to Peking to see the "Old Man" and been stood up. Everyone had a similar tale; this time it was not Arafat's fault, but it usually is. People around him, a travelling entourage that is both family and staff, began helping with tips on the etiquette of living alongside Arafat. Another of my journal entries notes a word of advice from a senior aide: "When I break your foot, you have gone wrong."

Arafat's schedule is exhausting and it wears down everyone around him. Half of the hotels in Tunis seem to be filled with people waiting to see Arafat. Fighters with blood rivalries meet in the lobby of the Hilton and turn their backs. Arafat maintains his own rigid personal organization within the chaos around him. Days are for seeing to problems like

women seeking university tuition for their sons or husbands for their daughters. Serious business takes place at night, dating to the time the PLO was an underground organization. Meetings begin about 9pm and rarely end before three in the morning. Everyone in the PLO is expected to be at Arafat's call. He never tells anyone, even close aides, his schedule in advance for security reasons. When you fly with him you do not know your destination until you take off. Asking a simple question at breakfast such as "what are you doing today" brings startled stares from aides and silence from Arafat.

The PLO is Arafat's life and he expects the same commitment from everyone around him. He accepts planes and villas from Arab leaders but remains a nomad and just out of their control. All his villas look the same - sterile, furnished with a print or two or Jerusalem, a television, some non-descript sofas and a desk. The head of the Palestinian government travels in four suitcases - one for his uniforms, one for his fax machine, one for "in" and "out" faxes and one for a blanket to curl up in for cat naps.

His obsessive precision can be maddening. He arranges his *keffiyeh* meticulously every day in the same way. It must hang down his shoulder in the shape of the map of Palestine. He empties his machine gun pistol precisely as his jet takes off, carefully lining up the bullets on his tray. He marks every single fax sent to the PLO with a felt-tip red pen. But doubts begin to set in when one



World figure: Sculptor David Goode putting the finishing touches to the *keffiyeh* on the model of Yasir Arafat which went on show at Madame Tussaud's in London yesterday. The representation of the PLO leader, complete with stubble and replica gun, is in the museum's Grand Hall

spends a lot of time around him. Does Arafat really have to read every single fax sent to the PLO? Does he have to control every disbursement of funds, the purchase of an office desk in Singapore? It is Jimmy Carter as PLO leader.

Arafat is up on every detail of running the organization, but never takes time to review policy, listen to advice or look ahead and plan. The PLO is run from moment to moment from Arafat's head. But doubts begin to set in when one

The main criticism one hears in the ranks of the PLO is of this autocratic style. Arafat brooks no criticism and, as a result, many educated and independent Palestinians have opted out of the organization.

Arafat is hoping to convince enough people to stay with him, hoping to keep the organization together long enough, hoping to stay alive long enough, so that he can one day land his plane in Palestine.

Rebel forces in Liberia tighten grip on Monrovia

From AGENCIES IN MONROVIA

NEARLY all flights to Liberia were cancelled yesterday after rebels tightened their grip on Monrovia, the capital, by capturing Owens Grove, an important army checkpoint less than 10 miles from the main airport.

Diplomats said the attack had effectively closed the only international airport in the West African state for the first time since the conflict began six months ago.

The closure left only a small airfield in the capital available for the planned evacuation of Americans and other foreigners.

British Airways and KLM, the Dutch airline, were among the carriers suspending flights to the international airport, which is only 35 miles from the capital.

Mr David Ranger, the British Airways manager in Li-

Punches thrown in studio

Little Rock, Arkansas - A black activist punched a white supremacist in the face on camera at a television studio, then endorsed him over a black candidate in the Republican primary for lieutenant-governor.

Mr Robert "Say" McIntosh said he wanted to get back at the Republican run-off candidate, Mr Ralph Forbes, for preventing him from burning an American flag during a demonstration last July. "That's for stepping on my rights," Mr McIntosh said after he stopped hitting Mr Forbes. He then said he was going to vote for the failed Mr Forbes in the run-off.

The station broadcast the fracas on its night newscast. Mr Forbes faces Mr Kenneth "Muskie" Harris, a black estate agent, in the run-off on June 12 for the Republican nomination. (AP)

Canada battles on Quebec issue

Ottawa - Mr Brian Mulroney, the Canadian Prime Minister, and the 10 provincial premiers yesterday resumed negotiations to resolve the country's constitutional crisis, but it was clearly an uphill battle. (John Best writes.)

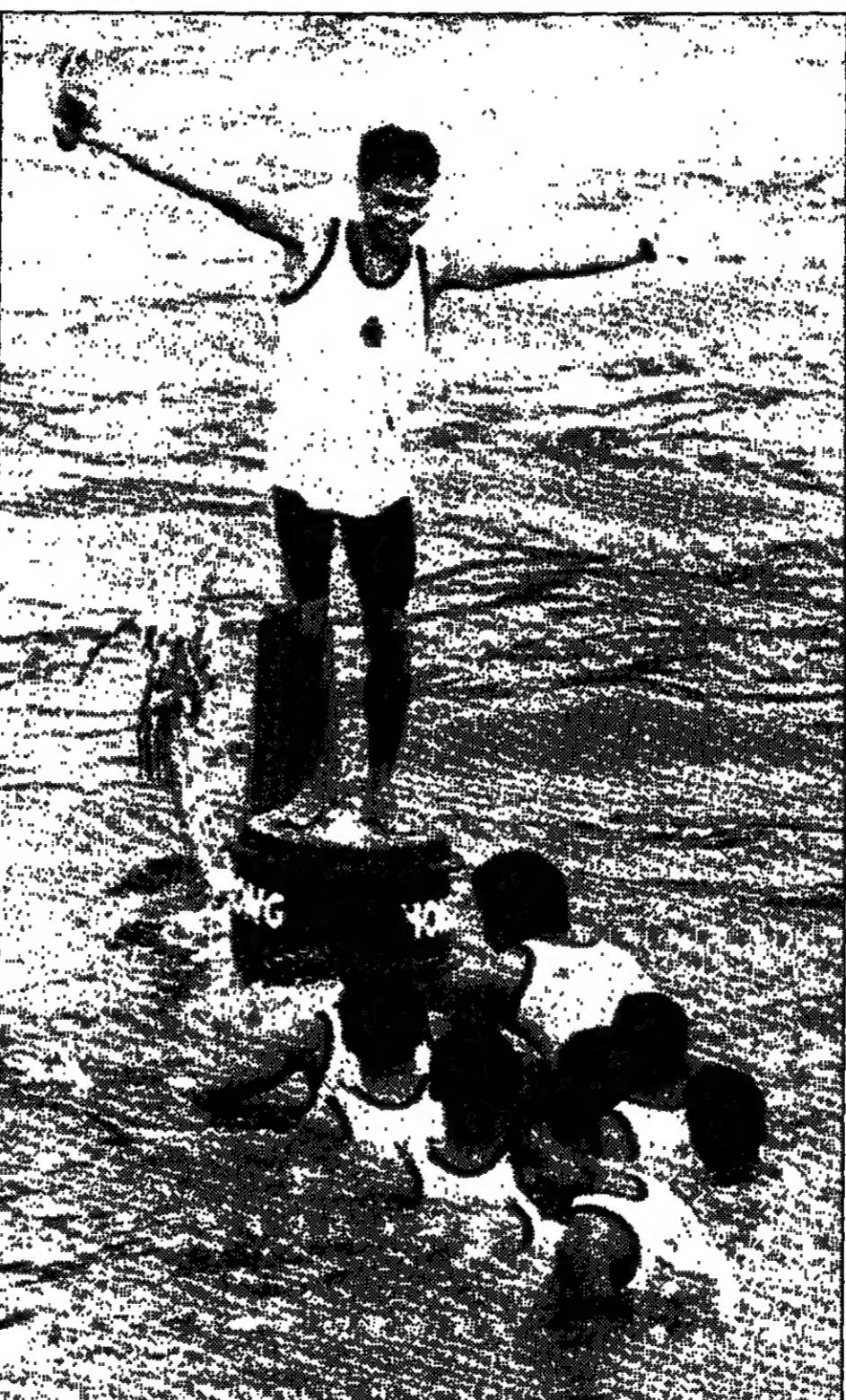
On Sunday night they met for more than four hours but the meeting yielded little if any progress towards the goal of bringing French-speaking Quebec into the National Constitution.

Inventor of the microchip dies

New York - Dr Robert Noyce, the co-inventor of the microchip, largely unrecognized by name but responsible for the transformation of the electronics industry, died on Sunday, aged 62, of a heart attack. (Susan Ellicott writes.) His research laid the ground for a range of now-everyday gadgets such as pocket calculators, microwave ovens and personal computers.

Dr Noyce patented his invention in 1959. Known as an integrated circuit, it allowed the electronic components of existing products to be miniaturized.

Obituary, page 14



Sinking feeling: While vigils were held to commemorate the Peking massacre, others in Hong Kong were enjoying the annual international dragon boat race

Peking defends massacre as essential for 'stability'

From CATHERINE SAMPSON IN PEKING

YESTERDAY, the first anniversary of the Tiananmen Square massacre which put an end to student-led demonstrations, the *People's Daily* published an uncompromising editorial claiming that China "now enjoys political, economic and social stability".

General Dubar denied that the Army was affected by desertions, but conceded that soldiers had been leaving their posts in counties under rebel attack and were gathering in the capital. "There's no deserting, but people are coming AWOL. Desertion is different from AWOL."

Mr Taylor, an American-educated Baptist businessman who invaded from Ivory Coast with about 150 rebels on Christmas Eve, has rejected any settlement while President Doe, aged 40, a former army sergeant who seized power in a bloody 1980 coup, remains in power.

Such editorials are in effect messages from the leadership.

Yesterdays the tone of this one showed the continued hold on power by the conservative wing of the party.

The Peking University campus was calm during the day after students had jeered and thrown bottles at armed troops on the road skirting the campus in the early morning.

Mr Li Mingi, the economics student who had called for democracy before a gathering of 1,000 students, had left his dormitory alone after the protest, and had not been seen since. Fellow students did not know whether he had gone into hiding or been detained by police.

No incidents were reported yesterday near Tiananmen Square.

• HONG KONG: Tens of thousands of Hong Kong people held a candlelight vigil last night in memory of those

who died in China's bloody crackdown (Jonathan Braude writes). It was the culmination of two days of marches, sit-ins and demonstrations in the greatest outpouring of emotion since up to a million people took to the streets after the massacre.

Meanwhile, two Labour MPs, Mr Brian Sedgemore and Mr Dale Campbell-Savours, alleged that they were refused entry into China from Hong Kong and were left stranded at the roadside after being forced off a bus at the border yesterday.

They believe the Chinese suspected they were going to join in protests marking the first anniversary of the massacre. They said they would be lodging complaints with Mrs Thatcher, Mr Douglas Hurd, the Foreign Secretary, and the Chinese authorities.

China's

leadership

is

the

West to take action over defaulting Soviet firms

By COLIN NARBROUGH, ECONOMICS CORRESPONDENT

The Berne Union, the international organization of export credit insurers, is to make urgent approaches to Moscow over Soviet problems in meeting payments to Western companies.

Despite President Gorbachov's weekend assurances about Soviet creditworthiness, deep concern remains that the continued deterioration of the Soviet economy, plus increasing decentralization of decision-making, threaten to destroy the country's long-standing reputation for prompt payment.

The support of the Berne Union, whose members are drawn from 32 of the leading Western states, is crucial to securing Western credit for imports needed to modernize the Soviet economy. Only last week, Mr Viktor Gerashchenko, chairman of Gosbank, the Soviet state bank, revealed that Moscow was planning large-scale commodity sales, including gold, to help reduce a \$2 billion (£1.19 billion) stack of unpaid bills.

News of the planned approach to Moscow came yesterday in a statement issued by Mr Malcolm Stephens, the chief executive of Britain's Export Credits Guarantee Department, who is the current Berne Union president. His statement, which follows a meeting of the organization in Italy last week, gave no details of the scale of the Soviet problem, or any indication of what the credit insurers

wanted the Soviet authorities to do. It referred tersely to an approach "shortly" about "current problems of conducting business."

The statement underlined that the world debt problem still weighed heavily on the financial position of Berne Union members. "The failure of over 40 countries to meet their payment commitments under debt rescheduling agreements to one or more of the export credit agencies is a matter of continuing matter of concern," it said.

Berne Union members, which include government and private sector bodies, provide support in the form of credit insurance and financing for exports from member countries, as well as credit facilities that might otherwise not be available for importing countries.

• MOSCOW: President Gorbachov was flying back to the Soviet Union from San Francisco last night after a week of diplomatic success and public adulation in North America only to find his popularity at home plummeting.

His programme for economic reform in tatters and demands for independence by breakaway republic growing (Richard Owen writes).

Diplomats said Mr Gorbachov would either have to quash or make concessions to growing talk of the need for the Communist Party to share power in a "government of national salvation".

Yesterday, Mr Leonid Abalkin, the deputy Prime Minister in charge of economic reform, defended the Government's plan for a "regulated" market economy. He told *Pravda* that the Government had realized the need for a transition to market forces during the past six months. It had decided to risk panic buying by "telling the people the whole truth" about impending price rises because "given widespread discontent, the credibility crisis, only a frank announcement of government intentions could stave off a social explosion".

Mr Abalkin insisted that the plan would begin to take effect in the autumn, leading to a temporary fall in living standards in early 1991 followed by a wide availability of goods in the subsequent "balanced" market.

The Supreme Soviet (parliament) yesterday began the final week of its current session, during which it is to vote on the plan. But radical supporters of Mr Boris Yeltsin, the populist leader of Democratic Russia, and President of the Russian Federation, said Mr Abalkin was defending a lost cause.

Mr Oleg Bogomolov, a leading economist, said the plan as put forward by Mr Nikolai Ryzhkov, Mr Gorbachov's Prime Minister, was an unworkable hybrid between a centrally planned economy and the market.

The radicals said the government would either have to abandon or revise the plan, which Mr Yeltsin has roundly condemned, winning huge popular acclaim in the process. Mr Yeltsin intends to make Russia "sovereign" and alter the Soviet power structure by signing bi-lateral cooperation deals with other republics.

Germany's Nato place 'assured'

From IAN MURRAY
IN BONN

WEST Germany is confident the Soviet Union is ready to agree that a united Germany can be a member of Nato subject to conditions which Bonn is willing to meet.

For Herr Helmut Kohl, the West German Chancellor, the outcome of the Washington summit "gave further occasion for confidence that the internal and external aspects of German reunification can be resolved".

According to the Chancellor, the solution of the external aspects of German unity "requires new and far-reaching steps in the CSCE (Conference on Security and Co-operation in Europe) process, in disarmament negotiations, and through comprehensive co-operation between East and West, especially in the economic area".

Despite President Gorbachov's continuing public opposition to Germany being a full member of Nato, the view here is that, he has at last accepted there was nothing he could do to prevent a sovereign nation deciding whether it wished to join military alliance.

Herr Kohl made it clear that he believes Moscow can best be reassured about the military intentions of a united Germany within Nato with the help of the 35 CSCE nations, provided the authority of the organization is strengthened.



Aisle of abundance: Mrs Gorbachov inspecting the fully laden shelves of a Minneapolis supermarket where her motorcade made a stop

Russian church split on role in new order

From RICHARD OWEN IN MOSCOW

AT THE Novodevichy Monastery in Moscow yesterday the great golden domes and bell towers loomed out of a mist of fine rain. Behind these facades, a battle is looming over the leadership of the Russian Orthodox Church which is a mirror image of the struggle between Kremlin conservatives and reformers.

Inside Novodevichy yesterday, in a blaze of candles and sparkling, restored icons, the white-bearded bishop presided over a service of thanksgiving for the Washington summit, one of the Church's traditional functions under Communism.

A few yards away, at the offices of the Moscow patriarchate, Metropolitan Vladimir, chief administrator of the Russian Orthodox Church, was commenting on changes in the old relationship between the Church and the State, in which the Church took a subservient role. "We now look forward to carrying out our Christian mission in greater freedom," he said.

Tomorrow, in the wake of the death of Patriarch Pimen early last month at the age of 79, the Orthodox Church begins the process of choosing a new Patriarch of Moscow and All Russia who will be installed at the Zagorsk Monastery next Sunday.

As the Church moves to take a central role in the Soviet Union, many of the younger clergy are demanding a leader who could chart the way forward by building on the potential power the Church has acquired as Russians lose faith in Communism.

The reformers favour the candidacy of Metropolitan Aleksii of Leningrad, a popular figure with a reformist reputation, against Metropolitan Filaret of Kiev, who has been temporary patriarch since Pimen's death. Both men are aged 61, but Metropolitan Filaret is identified with the "old regime" while Metropolitan Aleksii is a "political priest" with a seat in the Congress of People's Deputies (Parliament).

The radicals said the government would either have to abandon or revise the plan, which Mr Yeltsin has roundly condemned, winning huge popular acclaim in the process. Mr Yeltsin intends to make Russia "sovereign" and alter the Soviet power structure by signing bi-lateral cooperation deals with other republics.

"Pimen enabled the Church to survive by conforming to the wishes of the State," one reformist priest said. "We need to co-operate with the State, but we can afford to be more self-assured."

Despite criticism by radical Christian groups that the election of a new patriarch is taking place "behind closed doors", Metropolitan Vladimir argues that the contest, the first since Pimen's elevation 20 years ago, will be far more democratic than in the past.

Previous patriarchs emerged mysteriously from a small circle of top church officials.

The election is still secret, but this time the Holy Synod headed by Metropolitan Filaret has ordered the Episcopal Council of 92 bishops to be augmented by delegates from the clergy and congregations, making a new elective assembly of some 300 people.

The new patriarch will be chosen from among the 92 bishops — or rather 75, since five are excluded by not being Soviet citizens and 12 are disqualified by being aged under 40. Metropolitan Filaret is a likely "safe" choice, but is to some extent handicapped by being embroiled in a battle with both the breakaway Ukrainian nationalist Autocephalous Church and with the Ukrainian Catholic Uniate Church.

The death of Pimen and the need to choose a new patriarch have come at a watershed in Soviet politics, giving the Church a chance to consolidate its new high profile in Soviet life. The breakthrough began last Christmas, when Soviet television broadcast midnight mass for the first time. Again, last Sunday, Moscow television broadcast services for Holy Trinity Day, pointing out that it coincided with traditional Russian folk ceremonies marking the beginning of summer.

Both television and the press are full of commentaries on the 1,000-year role of the Church in Russian history. Priests in cassocks are a common sight on television discussion programmes and in the corridors of the Russian Parliament in the Kremlin, to which several have been elected as deputies. Many Soviet people now openly

wear crosses around their necks, and adherence to orthodox Christianity has become fashionable, with images of Christ and churches dominating art exhibitions and magazines. Even Sunday schools have been revived, in accordance with President Gorbachov's argument that religion helps his programme of reforms by instilling moral values.

For many church officials, the turning point in church-state relations was Mr Gorbachov's meeting with Pimen in the Kremlin shortly before the patriarch's death. At the funeral service in Moscow's Epiphany Cathedral, attended by 5,000 people, government officials held candles and joined in the service.

The Gorbachov leadership has encouraged the reopening and reconsecration of churches previously used as warehouses or garages, but the Orthodox Church is divided over how to capitalize on its new power. Radicals want to get rid of the "collaboration mentality" and oblige the authorities to make the separation of Church and State enshrined in the Constitution a reality. Some conservative priests, by contrast, prefer the present system under which the Church's affairs are controlled by the Government's Religious Department.

"The Orthodox Church is conservative by nature," Mr Matvei Stadnik of the Yelokhovo Church, one of the most popular of Moscow churches, said. "We don't need any more reforms".

But the Church, reformers say, needs its own *perestroika* if it is to live up to its new role in the emerging democracy. "We need serious changes," said Mr Alexander Gorodnikov, a religious activist who in the pre-Gorbachov era spent eight years in prison for his beliefs. He and other radicals say the Church has become "too comfortable", even corrupt, with the hierarchy enjoying the same privileges as senior party officials, and some priests making a profit out of selling bibles. The reformists also want to see reconciliation between the Orthodox Church in the Soviet Union and the Orthodox Church abroad.

Ukraine protest as hardliner wins presidency

From NICK WORRALL IN KIEV

THE hardline Communist, Mr Vladimir Ivashko, was elected President of the Ukraine yesterday by the republic's parliament. The vote, which was boycotted by Ukraine's notoriously conservative Communist party last autumn after President Gorbachov's argument that religion helps his programme of reforms by instilling moral values.

Many of the protesters carried blue-and-gold Ukrainian national flags. They joined dozens more who had stood all day in pouring rain outside the parliament building awaiting the election results. They shouted "Ivashko out" and "Down with the Communist Party". Dozens of police waited behind trees in an adjoining park in case of violence.

The anti-Communist demonstrators spilled over into yesterday's official opening by the Princess Royal of the



Mr Ivashko Advised the pro-Soviet Kabal regime

month-long festival, "British Days in the USSR", being staged in Kiev.

Young demonstrators held aloft the Rukh banner in protest at the linking of the Union Jack with the Soviet Ukrainian flag. Placards read: "Freedom for Ukraine", "Down with the Soviet Empire" and "33 million Ukrainians want Independence".

The outcome of the vote, which hands Mr Ivashko the chairmanship of the Ukrainian Supreme Soviet in the Soviet Union's second most important republic, is a complete contrast to last month's election of Mr Boris Yeltsin as President of the Russian

Federation. Mr Ivashko is a former political adviser to the Soviet-backed communist regime in Afghanistan. He was appointed first secretary of Ukraine's notoriously conservative Communist party last autumn after President Gorbachov dismissed the former Brezhnev appointee, Vladimir Shechibitsky, who has died since.

Although the republic's remaining political prisoners were released, the Ukrainian language accepted into everyday use and nationalists allowed to campaign publicly, the party retained its conservative line. At its plenum in March Mr Ivashko told the Central Committee that despite the removal from the Constitution of the Communist Party's right to rule, Communists could still maintain their grip on power in the short term.

"Those who are with us now have ... good prospects of participating in our great country," he said. Companies that remained on the sidelines "will remain observers for years to come — we will see to it".

Mr Robert Maxwell, the British publisher, managed to steal some of the limelight during Mr Gorbachov's visit to Minneapolis by announcing the establishment of a \$100million research institution to be called the Gorbachov Maxwell Institute of Technology. Mr Maxwell said his personal contribution would be \$50million.

The institute is to be based in Minneapolis-St Paul, the headquarters of Mr Maxwell's American operations. A statement issued by Mr Perpich said it would be a "world-class research institute ... where American, Soviet and European scientists will work side by side to benefit the world". The initial areas of research would be the environment and communications. The institute was being established "to honour President Mikhail Gorbachov's contribution to world peace and friendship".

• Newspaper plans: Mr Maxwell said yesterday he is in talks to buy a major American newspaper. He declined to identify his target but said the property was valued "obviously in the mid-hundreds of millions". Speculation centred on the Tribune Co's high-circulation but marginally profitable *New York Daily News* and *Gannett's USA Today*, which has become the largest general-interest daily newspaper in America. (Reuters)

Princess homes in on average British family

From OUR CORRESPONDENT
IN KIEV

THE Princess Royal yesterday formally opened the "British Days in the USSR", the festival of British music, opera, arts, trade and industry which is expected to attract more than a million Ukrainians during its four-week run.

In her opening speech, the Princess Royal said Kiev had made a great impression on her in her previous visit to the city, as a member of Britain's three-day event team in 1973 when she had fallen off her horse. "It left me with one shoulder lower than the other," she said, raising the only smile to relieve a suitably British-like wet day.

Any doubts the Princess Royal might have about what constitutes the average British family were probably dispelled when she met the Goodwins at the festival. Mr Peter Goodwin, an engineering technician in his early 40s, his wife Anne, daughter Emma, aged 18, and son Peter, aged 16, live in the Midlands on about £18,000 a year with their golden Labrador retriever Ben and tabby cat George. The family Ford Escort is two years old, still being paid for, and the mortgage on their three-bedroom semi-detached house has at least 20 years to run. According to



Everything including the kitchen sink: The Princess Royal touring the "Goodwin" residence at the British Life Today display in Kiev, part of the UK festival

1989 statistics on income, age, family size, occupations and pursuits, the Goodwins represent the average. But the Princess was spared any handshaking because they do not really exist.

The entire family is constructed from plastic and is the subject of an exhibition called "British Life Today". It is the centrepiece of the

city, the issue should be resolved. Yesterday the Ukrainian parliament was voting for a president and leader of the republic. But there is no radical maverick in the mould of Mr Boris Yeltsin about to take over. Their choice is expected to be Mr Vladimir Ivashko, the conservative party First Secretary, who can field enough traditional rural Communist supporters to avoid an upset.

One of the organizers of the festival, Mr Noel Marshall, a Foreign Office Under Secretary, said: "It's our ambition to arouse interest in Britain and to show Ukrainians and others British culture and our way of life. So far we've had an excellent reception here."

However, the "British Life Today" show seems a little more focused than simply to arouse interest. Video displays picture the importance of an independent judiciary, for instance, and explain the role of the individual in jury service. The workings of British democracy and an independent media are portrayed, as well as the benefits of private enterprise and housing, although the hazards of taking on a mortgage and falling into debt are not ducked. And for those not quite convinced of the excellence of the British way of life, a device wafts the perfume of new-mown grass through the exhibition hall.

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From ROGER BOYES
IN WARSAW

EASTERN Europe, for decades an industrial wasteland, is on the brink of a huge technological revolution whose significance may dwarf even the democratic upheavals of 1989.

The liberalization this week of rules of the Co-ordinating Committee for Multilateral Export Controls, or Cocom — the Western body which regulates high technology exports to the East, and the inevitable demise of the political ban on western hi-tech exports, will unleash sophisticated computers, machine tools and communications equipment on economies that have been struggling along on 20 or 30-year-old technology.

Market reform in Poland and Hungary, more open economies in Czechoslovakia and Bulgaria, East Germany's current union with West Germany, have already cleared the way for the use of relatively modern technology. Personal computers, brought in privately by travellers (and smugglers), now clutter the airports of Sofia and Warsaw, much as videos did five years ago.

Factories forced to become competitive or go bust, have been ordering larger computers through middle men in the Far East. But a Luddite philosophy still grips much of industry; the political commitment is often to full employment rather than efficiency.

Now, the United States has lifted its objections to exports of key technology.

The unification of Germany removes East Germany from the hi-tech blockade and without East Germany the whole arrangement becomes unenforceable. A last trench is being dug around the Soviet Union — East Europeans will be required to block all re-exports to Moscow — but this too is unlikely to last for long.

"Above all our telecommunications will get an important boost," said Doctor Marek Nowakowski of the Polish Foreign Trade Ministry, over a spluttering phone. Certainly, both Budapest and Warsaw have been desperate to renew their telephone exchanges for the last decade. Warsaw has been hampered by lack of capital, Budapest by Cocom since it wanted a highly sophisticated digital

switching system which could, according to Cocom logic, have ultimately benefited the Soviet military establishment. The West Germans in particular, have been urging Cocom to drop the ban on communications equipment. This is partly because of the need to bring East Germany on a par with the West, and partly for commercial reasons: Siemens is competing with Sweden's LM Ericsson, Alcatel of France and AT&T of the United States for a hold on the East European market. Certainly the market is huge. Poland has only 118 phones per thousand population, Hungary 134, East Germany 211, Bulgaria 200. West Germany, by contrast, has 641 and the United States 650.

The chief aim of the market reforms in Eastern Europe is to break up heavy industry, to force factories either to become competitive or to go bankrupt.

These enterprises are already bleeding workers — unemployment has soared from zero in January to 500,000 in Poland — and there is considerable resistance to labour saving technology.

Yet there are other powerful pressures to modernize. An energy crisis that could delay reform altogether is looming this winter. The Soviet Union wants to scale back its oil shipments to Comecon allies, domestically produced coal is reaching

world prices in Poland, environmental movements are forcing East German and Czechoslovak factories to move away from brown coal.

And so there is a premium on energy-saving technology, on computer steering and computer control. The fear of nuclear power that flared up after Chernobyl can be overcome if hi-tech safeguards are introduced. President Bush is even willing to let the Soviet Union buy American computers to monitor their nuclear reactors.

But the strongest force for modernization comes from a rising new technocratic class, not wedded as in the past to the Communist Party and the planned economy. School children are slowly

gaining access to computers and the thrust of Western Aid to Eastern Europe is to improve management skills and make future managers more responsive

to technology. Bulgarian and Czech engineers, frustrated at possibilities offered by state enterprises, are found in their companies and begging computer

The question of capital is more easily resolved. The World Bank is channeling part of its aid into funding telecommunications in Eastern Europe. Joint ventures are mushrooming as the West Germans especially trade their technology for a future foothold in the new Eastern markets. Western banks are slow-witted, but frequently back any scheme that promises an opening to the Soviet Union.

Certainly when Cocom lifted restrictions on technology exports to China, trade with the West almost doubled. Something similar is about to happen in Eastern Europe, and the East in particular is worried since this may be a fundamental shift in global trading patterns. The Far East can compete well at present with Eastern European manufacturers, offering attractive, low priced products produced even cheaper labour is available in Warsaw or Sofia. But a more market-responsive East, equipped with state-of-the-art machinery and within easy reach of Western Europe, is a real threat. South Korea is busily opening up embassies and trade missions throughout Eastern Europe; the Japanese are building factories in most of the post-Communist states. Meanwhile the revolution continues — in megabits.

Eastern Europe on brink of high technology revolution

Export controls to be relaxed

A RADICAL relaxation in Cocom rules is expected to involve three elements:

Telecommunications: The East Europeans will be able to buy Western fibre optic technology to improve dramatically their antiquated communication systems. There will still be some controls for potential military applications.

Computers: Most modern personal computers should become available up to "386" models without the need for an export licence. However the most powerful computers with obvious strategic

capability will still be banned.

Machine tools: Relaxation of controls will provide huge scope for export sales to meet Soviet industrial needs. But, again, not all restrictions will be lifted. There will still be controls on the West's most sophisticated computer-controlled equipment, capable of machining missile warheads or propeller fans for submarines with absolute precision.

As many as 30 items could be withdrawn from the blacklist of 140 categories of equipment, leaving a much smaller "core" of banned goods.

There are two inhibitions on the Eastern technology revolution. The first can the defend centrally planned economy and the primitive, timid markets of the East make full use of the technology? And, crucially, can the East afford massive imports of hi-tech?

Tony award for Maggie Smith

From SUSAN ELICKOTT IN NEW YORK

Maggie Smith, who won critical acclaim for her flamboyant role as an eccentric tour guide in the comedy *Letitia and Lovage* in London last year, has won a coveted Tony Award for the same role in the New York production.

Miss Smith was awarded a Tony, Broadway's equivalent of Hollywood's Oscar, as best leading actress in a play. Margaret Tyzack, won one as best featured actress in the same play for her part as a supporter of historic preservation. Miss Smith has dazzled US audiences with her crisp British accent and larger-than-life mannerisms.

Famous names passed up in the awards included Kathleen Turner, who hosted the award ceremony, Dustin Hoffman and the composer, Andrew Lloyd Webber. His musical *Aspects of Love* failed to stir emotions after a run of hits that have included *Cats*, *The Grapes of Wrath*, adapted from the novel by John Steinbeck about a family's journey across the United States during the Depression. The play edged out the Pulitzer Prize-winning *The Piano Lesson*.

Other awards for second-best acting roles went to Charlotte D'Amboise, who plays Big Dad in the revival of Tennessee Williams's *Cat on a Hot Tin Roof*, and to Robert Morse, bringing to life the late author Truman Capote in *Tru-*

The musical *Grand Hotel* came second to *City of Angels* and won five Tonys, including the awards for featured actors for Tommy Tune and best costume design.

Last year on Broadway was a particularly strong season and the competition was usually keen. In her acceptance speech Maggie Smith thanked American audiences for their generosity. "They show you how they feel," she said.

Awards, page 10

Two Peruvian presidential hopefuls battle it out

From CORINNE SCHMIDT IN LIMA

THE two Peruvian presidential candidates, Señor Alberto Fujimori and Señor Mario Vargas Llosa, traded scathing personal insults in their only debate before the run-off election next Sunday.

The campaign has become increasingly bitter as both sides indulge in racist and religious attacks and political dirty tricks. Increasingly, the two are seen as an unlikely pair to lead a socially and economically battered nation.

They are both political independents and novices, one an agronomist and the other a novelist, and neither has ever run for or held political office.

In last Sunday night's barbed televised debate, Señor Fujimori asked Señor Vargas

Sikh bombs kill Punjab children

At least six people, including four schoolchildren, were killed yesterday by two bombs, probably planted by Sikh militants, in India's northern Punjab state.

Police said the children were killed when a bomb on a bicycle went off near a Hindu temple in Patiala where they were celebrating a Hindu festival. The blast injured 26 others.

The second bomb went off on a motor-scooter, whose driver was taking one of the injured to hospital. Both were killed on the spot. (Reuters)

Talks falter

Tokyo — Cambodian peace talks were faltering from the start after the Khmer Rouge leader, Mr Khuon Samphan, head of the most powerful guerrilla faction in the country, failed to attend. (Reuters)

Hikers named

Nederland, Colorado — Two British hikers were killed in a Colorado mountain snowstorm. They were named as Mr David John Paddon, and Miss Katherine Louis Choules, both aged 21 and both exchange students from Lancaster University. (AP)

Youth charged

Chartres — A French youth has been arrested here on charges of raping and murdering Miss Marie-France Desmeules, aged 21 of Laval, Canada, who was found dying on a road near Le Mans. (AP)

Star in hospital

Santa Monica — The singing star Michael Jackson has been admitted to hospital complaining of chest pains.

Strike over slap

Dhaka — Hundreds of patients at the Dhaka Medical College Hospital were sent home or lay uncared for when 500 nurses walked out because a doctor allegedly slapped one of them. (Reuters)

Winged bulls

Baghdad — Iraqi archaeologists excavating a palace in the Assyrian capital of Nineveh have found seven giant marble bulls, three times life-size and sporting wings, some blue and some purple, dating to the seventh century BC. (Reuters)



The actor Robert Morse giving Maggie Smith a congratulatory kiss at the Tony awards ceremony in New York

Shooting vote falls prey to low turnout

From PAUL BOMPARD IN ROME

A NATIONAL referendum on game shooting has turned into a fiasco after less than the legal minimum of 50 per cent of the electorate turned out to vote.

Only 42 per cent of Italy's 47-million voters voted, thus rendering void the referendum aimed at repealing existing legislation on shooting, including a law allowing hunters to roam freely on other people's land.

The country had been split into pro-shooting and anti-shooting camps and there have been occasional battles between hunters and members of the Green movement.

But the dismal failure of the referendum leaves Italy with the most liberal shooting regulations in Europe — a fact denounced by both Italian and foreign conservationists and which has helped foster the image of the Italian shooter as a trigger-happy butcher, an image which in too many cases is all too close to the truth.

Political commentators blamed parties which did not commit themselves as well as general apathy for the failure.

Under the Italian Constitution, repeal of the existing law would have forced the Government to introduce new laws, presumably more restrictive and in keeping with

European policy. As it is, Italy's birds, hares and wild boar will once more have to run the gauntlet of 1.5 million hunters.

Opposers of the referendum had called on voters to abstain in the belief, correct as it turned out, that it was better to boycott the referendum than to lose it. Of those who voted, over 90 per cent voted to repeal the shooting laws, so if another 10 per cent of the electorate had voted to keep the referendum valid but given the victory to the anti-shooting camp.

The referendum, which now appears pointless, is estimated to have cost the taxpayer about 600 billion lira (£30-million). It also necessitated closing most of the country's schools for several days for use as polling stations.

Political commentators blamed parties which did not commit themselves as well as general apathy for the failure.

Italy's largest party, the Christian Democrats, as well as the Republicans, Social Democrats and the extreme-right Italian Social Movement left the choice up to the individual.

Israel discounts threat over Jewish immigrants

From A CORRESPONDENT IN JERUSALEM

ISRAELI officials said yesterday they would not interfere with the settlement of Soviet Jews in the occupied territories despite the threat by President Gorbachov to President Shimon Peres.

"It is regrettable that President Gorbachov has been misled by Arab propaganda," said Mr Simcha Dinitz, chairman of the Jewish Agency, a quasi-government group involved in the settlement of immigrants.

It said yesterday that 49,000 Soviet Jews had arrived in Israel since April last year, of whom just 285 had settled in the territories.

The figures do not, however, reflect Soviet immigrants who are allowed to move to areas set up around Jerusalem on territory captured in the 1967 Arab-Israeli war. According to published reports here, more than 1,300 of the new immigrants have moved to these areas.

Mr Benny Begin, MP, the son of Mr Menachem Begin, the former Prime Minister, told Israel radio: "We must all persuade the international community not to place in doubt the right of any Jew to settle anywhere in his homeland."

Mr Uri Gordon, head of the Jewish Agency immigration department, acknowledged, however, that Israel must be

more sensitive to world opinion if it wants to continue receiving large numbers of Soviet Jews. "Israel needs to understand that it should not form new settlements in order not to incite world opinion."

Still, he added, he did not think Mr Gorbachov could carry out his threat to reconsider the Soviet Union's policy on issuing exit permits to Jews. "Russia cannot turn back, but I don't want to give her any reason to do so. I believe we need to think seriously about the subject of settlements and, for me, immigration is more important."

Time wasted: Mr Shamir announced yesterday that he was ready to form a government with nationalist and religious parties, but needed more time to "perfect" it. He made the announcement after addressing a business conference in Tel Aviv.

Members of his Likud Party admitted, however, that he did not have written agreements with the eight small parties he hopes to gather into his government, and even Mr Shamir acknowledged that another coalition with the Labour Party was not out of the stage.

The Right Rev Simon Barrington-Ward, the Bishop of Coventry, Mr Norman Willis, general secretary of the Trades Union Congress, the Rev Michael Taylor, director of Christian Aid, and Michael Terry, executive secretary of the Anti-Apartheid Movement, said they were speaking to Mr Charles Haughey, Prime Minister of the Irish Republic, who holds the presidency of the European Community, to point out that any relaxation of sanctions would at the stage be "very damaging".

The anti-apartheid leaders were speaking as Mr Nelson Mandela, the vice-president of the African National Congress, left South Africa for a six-week world tour in which he has made clear his intention to focus attention on the need for sanctions to be maintained.

Mourners were led by a short, stocky man, known here as the minister of slogans, who urged them to raise clenched fists in the air and shout "Mabar Amrika" (Death to America), "Mabar Israel". Dozens of people fainted. A first aid official later said more than 1,000 people were treated for exhaustion caused by heat and emotion.

A taxi-driver later commented that true Islam should be practised in mosques and said he did not believe in such public displays of grief. Those people only went there to get free food and drink, he said.

AYATOLLAH KHOMEINI, who died on June 3 last year of cancer, is revered to nearly the same degree as the 12 imams of the Shia Islam faith.

Frenzy of grief at Khomeini's shrine

From AGENCIE FRANCE-PRESSE IN TEHRAN

AN EXPLOSION of grief rocked a cemetery south of Tehran as a huge crowd yesterday paid vibrant tribute to Ayatollah Khomeini on the first anniversary of his death.

Mourners heard a one-hour speech by Ayatollah Ali Khamenei, Khomeini's successor, who called for Iranian unity and accused the US, its allies and their supporters of wanting to torpedo the Iranian revolution. The enemies of Iran expected that Ayatollah Khomeini's death would trigger civil war or force changes in the Government, he said. "But through your solidarity you have stopped the enemy across the mouth."

The words of Iran's current spiritual guide were punctuated by cries of "Allah-o Akbar" (God is Supreme) and emotional pledges to support the 11-year-old Islamic revolution spearheaded by Ayatollah Khomeini. The crowd also



Chador-clad women holding portraits of the late Ayatollah Khomeini and current spiritual guide Ayatollah Khamenei as they mark the first year of the imam's death

Shaming bias off the air

Woodrow Wyatt

Today the Lords debate their second reading of the Broadcasting Bill. The committee stage which follows is the last chance to lay down coherent, enforceable standards of impartiality to be observed by the BBC and the terrestrial and satellite channels to be licensed and regulated by the new *Independent Television Commission* (ITC).

The issue has had scant and hesitant attention in the Commons. As the Bill stands, there are many ways in which the "due impartiality" under which broadcasting is supposed to operate can, as now, be breached with impunity by broadcasters minded to insert their own political slant, usually with the audiences unaware of what they are up to.

The need for an effective system for maintaining impartiality bridges the political divide. Labour had a legitimate grievance in 1971 over the BBC's *Yesterday's Men*, which pictured its leaders as far from realists out of touch and out of date. Indeed, I have been told by those in the BBC who should know that there are far more vigorous and frequent protests over bias from Labour governments than there are from Conservative. Nor is Labour slow to protest when in opposition. All major parties, in or out of office, need the assurance that someone, somewhere, can prevent their policies and their leaders being unfairly pilloried and ensure that unchallenged attacks are not made on established national policies.

For example, BBC2's *Summer of the Bomb* last August claimed that historians accepted the bombing of Hiroshima as being the start of the Cold War, thus justifying Stalin's massive post-war arms build-up as understandable self-defence against the menacing West. Clement Attlee, Ernest Bevin and other wartime and post-war Labour leaders would have been outraged by the letter from the Secretary of the BBC on February 12 this year defending his bizarre claim as "commanding general assent among informed historians".

Since I wrote in *The Times* on February 13 about bias in the BBC's *Today* programme there has been a slight improvement, though the BBC is loath to make such admissions publicly, whatever internal rows it may have. The BBC provides programmes over which it is the sole regulator and is simultaneously judge and jury of complaints about them. It issues to its staff broadly admirable guidelines on impartiality but does not enforce them. Likewise the IBA has, with some exceptions, reasonable guidelines if these were obeyed, slanted programmes like Channel 4's *Oh, Superman* by Harold Pinter last Thursday could not be broadcast without including an adequate presentation of a differing view-

...and moreover

ALAN COREN

This morning, mutatis mutandis, I might well have risen before strolling out of my front gate, and - ailing with my trusty clasp-knife a stout blackthorn switch the better to negotiate my passage through Cricklewood's tangled underworld - picked my way daintily across the gently steaming midden of Cow-House Farm, bound for the chimney-pot manufactory a mere country mile away, atop Child's Hill.

I should not, in all probability, have run into many people. The old gateman of Cricklewood House Farm - at the bottom of my lane, beside the village pond - would doubtless have hugged his forelock as I passed, but dared to offer nothing more personal than his regular animadversion upon the fox-dropping scurries his grave; the herdsman whistling in the Cow-House Farm hedge might have had an interesting intelligence to impart acent the eccentric behaviour of his charges, adding a rider to the effect that it might do none of us any harm to lay off chops for a while; the buxom chateauine of the Castle Tea Gardens might have leaned, dimpling, through her leaded lights, to murmur that there was nothing could set up a gentleman of a morning like a nice toasted scone; but I should be fortunate indeed to meet any others along the way, before heaving to at the premises of my old friend Jas Merryweather, supplier of chimneys to the carriage trade, for one of our regular chats upon such burning issues of the day as the threat to family life in the Zoetrope or whether anyone in his right mind believed that the new Conservative Party's Tamworth Manifesto would enable it to break the traditional mould of British politics.

"Oh yes, and I might also have bumped, as I meandered, into a stranger peering through a rheopholite. Had I done so, I should have doffed my stove-pipe hat, saying "Good morning, sir, do take it that a survey is under way? I trust it is not in consequence of this new Municipal Reform Act? You may tell your masters that any attempt to levy the proposed annual groat upon my humble cow will be met with the sternest resis-

tance. Melbourne, Melbourne, Melbourne, out, out, out!" He would have smiled a demurring smile, and extended his hand. "George Cruchley, sir," he would have said, "a bumble cartographer and your yet humbler servant, engaged merely upon his map of Cricklewood."

"Pshaw!" I should have snorted. "We are bought but a bucolic speck of fourteen dwellings. Who are we to merit bespoke cartography?"

"A speak today, perhaps," he might have replied, "but it will not always be 1835. One day, who knows, the very knoll upon which we are standing may be graced by not merely Attlee's Unisex Hair Salon, but also Roxy Videos, Kuprice Kars, and the Hing Yip Takeaway."

How uncannily accurate he would have been!

So then, shall I recommend to the rest of you the sumptuous new book which lies open before me in this year of ungrace 1990, and which contains not only Cruchley's *New Plan*, but umpteen more magnificient old maps, spanning London, change by change, from one Elizabeth to the other? I'm not sure I ought. True, *The History of London in Maps*, by Felix Barker and Peter Jackson, will give contemporary memorials far more than merely lip change from twenty quid, but will they be able to handle that gift less mournfully than? Will they, like me, hurtle first to the index to check for entry what was once, literally, their neck of the woods, only to reflect upon how utterly, between then and now, the woods got it in that very neck?

Ah, Cricklewood! There on page 98 you lie, forever panting and forever young, committed to ink in the year my great-grandfather was born; which, put that way, seems not so long ago. A baker's dozen of cottages, and the manor house, and a windmill on Shoot-Up Hill from which the miller could look across to Willesden Green when it was nothing but that; and to Hendon, when the site of ten thousand subsequent semi-bore only Clatterhouse Farm; and to the Green Hill far away, when it was not yet Golder's, but simply what you climbed to get to the Hare and Hounds.

Although Rycroft and staff at party headquarters are now out of work, the future of those employed to serve the defunct party's three MPs in the Commons is still uncertain. Their prospects depend on the continued generosity of the party's trustees, such as David Sainsbury, and on the future of the £50,000 the SDP received each year from the Short Fund, the

● While some leading members of the SDP were reduced to tears in the hotel room where the winding-up decision was taken on Sunday, others learned of the decision from their morning papers. Lady Stedman, party leader in the House of Lords, was on holiday in America when the emergency meeting was called. Attempts to locate her failed. "I don't know if she knows even now," an SDP spokesman said last night.

Ronald Butt welcomes a return to vigorous three-party politics with the death of the SDP

After Owen, will the centre revive?

The formal acknowledgement of the death of the Social Democratic Party will be good for British politics. It is not simply a tidying-up operation which acknowledges a political reality. More to the point, it removes a confusing distraction for the voters and will allow the strength of the organized political centre to be properly tested once again by reference to a single party: the Liberal Democrats.

This has not been possible since Sir David Steel and Dr David Owen between them fractured the Liberal-SDP Alliance after the last election. Since then the two centre parties have fought one another in a struggle of personalities reminiscent of that between the Asquith and the Lloyd George Liberals after the First World War. By dividing the centre, they have indicated that a vote for either party would be wasted; and they have done so at a time when both Labour (abandoning traditional socialism) and more recently the Tories (with their growing interest in tempering their attachment to the market by a concern for the environment) have advanced onto the centre ground.

The ineffectiveness of the centre party (which in practice could only be the Liberal Democrats) has had adverse consequences. As the third party for much of this century, the Liberals have performed a valuable balancing function in British politics, which has been much more important than could be gauged from the statistics of their performance in elections. As well as contributing political ideas, they have represented a haven in which voters could take refuge when they were unhappy with the party in power, Tory or Labour, but could not bring themselves to vote for the other.

The existence of a credible centre party has made it possible for voters to send warning signals to the party in power, which has usually benefited by heeding them. Thus the large Liberal vote in the two elections of 1974, in which the Tories lost power but Labour was denied a true majority, was a clear statement by the electorate that although the policies of Edward Heath's Tory government were unacceptable, there was a deep distrust of the left-wing extremists who were laying siege to the Labour Party.

The high tide of centrist politics, however, came with the defection of Owen, Roy Jenkins, Shirley Williams and William Rodgers from the Labour Party. Their formation of the Social Democratic Party and their alliance with the Liberals gave the political centre a strength it had not enjoyed since the Liberals broke into two factions during the First World War.

The momentary success of the Alliance in obtaining virtually a third of the voters' support in opinion polls at times of Conservative unpopularity was decisive in forcing Labour to the reforms by which, to the dismay of the old left, it has turned itself into a claimant to the social democratic heritage.

That is the real achievement of Owen and his friends, and it conforms to the historical function of the centre in Britain. It is wrong to say that we cannot have three-party politics without proportional representation to give the centre party a stake in government. Since the Conservatives broke over the Corn Laws in 1846, there have been recurrent long periods in which third parties have

gained a decisive influence, sometimes by influencing the ideas of the others, and once by replacing one of the two principal parties (when Labour overtook the Liberals). We have enjoyed the benefits of both three-party influence and two-party stability.

Owen, therefore, should be content with this achievement. Where he now goes is of no great moment politically. He is a man of great political flair who senses the common ground of politics as the ordinary voter sees it. A case in point is his willingness to adopt much of Mrs Thatcher's social and economic revolution long before Labour (or, indeed, many Liberals and other Social Democrats) did so. He is a realist in terms of policies, if not in his attitude to political parties.

However, he is also a highly opinionated man who, since his days as foreign secretary, has often aroused personal hostility in those with whom it was important that he should work smoothly. In the end, the Alliance broke because his pride and obstinacy and David Steel's Machiavellian machine politics fell foul of one another. It may well be that Owen

now is not Owen's future. What we wait to see is, first, whether he, Mrs Thatcher and Neil Kinnock between them have managed to turn Labour into a genuine social democratic party capable of attaining power; and second, whether Ashdown, freed from division and wasted votes, can build the Liberal Democrats into a useful centre party ready for the day when one is again needed.

In any event, what is of interest now is what Owen's future is.

We wait to see is, first, whether he, Mrs Thatcher and Neil Kinnock between them have managed to turn Labour into a genuine social democratic party capable of attaining power; and second, whether Ashdown, freed from division and wasted votes, can build the Liberal Democrats into a useful centre party ready for the day when one is again needed.

Cabinet Office, which services the defence and overseas policy committee. Yet the Cabinet Office has little experience of defence, and its overseas and defence secretariat is composed primarily of civil servants seconded for a few years from the Foreign Office or the Ministry of Defence. Some years ago, Sir John Hunt, a former cabinet secretary, spoke of "the hole at the centre of government", the absence of powerful central co-ordinating machinery of the type familiar in other systems of cabinet government such as those of Australia and Canada. This weakness has done particular harm in our relations with the European Community.

But an effective foreign policy requires more than machinery. It also needs intelligent people who can help to formulate and test new assumptions. In sharp contrast to the large numbers of advisers on foreign policy in the US, Britain has very few, and 10 years of Mrs Thatcher's government has not succeeded in changing the club-like atmosphere in which they work. We desperately need prestigious non-party think-tanks, and schools of public policy of the kind that play so large a part in the making of American foreign policy. Such institutions could encourage what Ralf Dahrendorf has labelled "middle-range" thinking, mediating between the abstract work of universities and the short-term management of crises with which government departments have come to be principally concerned.

Above all, effective foreign policy in a democracy needs an educated public which can understand and endorse fundamental assumptions. The debate must cease to be closed; it must be widened to include individuals and groups beyond the Thames-Tees axis which has dominated the formation of British foreign policy in the past.

Not least of the benefits of a freedom of information act would be the promotion of an educated public which could learn, in Popperian fashion, from the mistakes of the past. For unless we learn from these mistakes, we shall find ourselves condemned to repeat them.

The author is a Fellow of Brasenose College, Oxford.

To make the most of a new era, Vernon Bogdanor calls for better-informed debate on international affairs



More recently, few in the Foreign Office foresaw the course of developments in Central and Eastern Europe. By contrast with the Americans, who maintained regular contacts with dissidents, Britain preferred to restrict diplomatic intercourse to governments. The Foreign Office seems to have assumed that the Honeckers and Husaks enjoyed substantial indigenous support, instead of realizing that they were brutal puppets whose power rested entirely on Soviet tanks.

But the most striking failure of British foreign policy lies in the European Community. From Herbert Morrison's dismissal of British participation in the European Coal and Steel Community in 1950 — "the Durham miners won't wear it" — to Mrs Thatcher's Bruges speech in 1988, we have consistently failed to appreciate that when continental leaders

declared that they intended to create a European entity, they meant precisely what they said.

It would have been better to have played a constructive role in that endeavour, rather than crying "foul" from the sidelines at each new (and often imaginary) affront to British sensitivities. One does not have to agree with every detail of French foreign policy, as practised by either de Gaulle or Mitterrand, to realize that they have discovered a better way to maximize the influence of a medium-ranking power.

"Now that you are a fact, we shall deal with you," Sir Roger Makinson's remark to Jean Monnet in 1952, after the formation of the European Coal and Steel Community without Britain, epitomizes the reactive spirit of British foreign policy, a spirit insufficient to meet the problems which the new order in Europe is likely to pose.

The task now is for us to establish coherent and realistic foreign policy goals and a strategy for achieving them.

The first step in such an exercise must be to ensure that the machinery of government is geared to this end. This has been neglected, because too much of the scrutiny of government has been concerned with cutting costs, and too little with the question of whether the machine is serving our foreign policy interests effectively. The late David Watt told Chatham House in 1982 that "the Cabinet is a club-like atmosphere in which they work. We desperately need prestigious non-party think-tanks, and schools of public policy of the kind that play so large a part in the making of American foreign policy. Such institutions could encourage what Ralf Dahrendorf has labelled "middle-range" thinking, mediating between the abstract work of universities and the short-term management of crises with which government departments have come to be principally concerned.

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The author is a Fellow of Brasenose College, Oxford.

No jobs for the boys

While David Owen ponders his long-term future, confident that a former foreign secretary will not go short of job offers, the prospects for the loyal staff he leaves behind at the SDP's London headquarters are less promising. After only six months in the post, national party secretary Tim Rycroft, who is to be married at the end of the month, will return from honeymoon to no job. Which is a far cry from the letter he wrote to *The Times* last month after the Diary revealed that Owen was preparing the SDP's exit from politics. An angry Rycroft responded: "Though our opponents might well wish that we should go away, the truth is the SDP is alive and kicking. The party makes a valuable contribution to British politics. I am confident that we shall continue to do so into the new century and beyond." Sadder but wiser, he now says: "My job was to defend the party to the end. Which, as it turns out, was exactly what I did." One senior SDP source said that most staff were relieved that the "humiliating pretence" of recent months is over.

Ah, Cricklewood! There on page 98 you lie, forever panting and forever young, committed to ink in the year my great-grandfather was born; which, put that way, seems not so long ago. A baker's dozen of cottages, and the manor house, and a windmill on Shoot-Up Hill from which the miller could look across to Willesden Green when it was nothing but that; and to Hendon, when the site of ten thousand subsequent semi-bore only Clatterhouse Farm; and to the Green Hill far away, when it was not yet Golder's, but simply what you climbed to get to the Hare and Hounds.

Although Rycroft and staff at party headquarters are now out of work, the future of those employed to serve the defunct party's three MPs in the Commons is still uncertain. Their prospects depend on the continued generosity of the party's trustees, such as David Sainsbury, and on the future of the £50,000 the SDP received each year from the Short Fund, the

● While some leading members of the SDP were reduced to tears in the hotel room where the winding-up decision was taken on Sunday, others learned of the decision from their morning papers. Lady Stedman, party leader in the House of Lords, was on holiday in America when the emergency meeting was called. Attempts to locate her failed. "I don't know if she knows even now," an SDP spokesman said last night.

Chairs who went far

The brothers Attenborough — Sir David and Sir Richard — will perform on the same platform today for the first time in more than half a century. They will be speaking in the Jubilee Room of the House of Commons for World Environment Day, in which their charitable interests coincide. When they last co-starred, in the mid-1930s, they played two charities in *Ladies Wot Come to Oblige* at Wyggeston Boys School, Leicester. "He wore a blond wig and I wore a blonde one," says Sir Richard, who is a goodwill ambassador for Unicef. They will speak today on the effects of pollution on children — something of personal concern since both are grandfathers.

Beginning at home

Nazmi Virani, moving spirit behind the dinner at Kensington Palace tonight to launch the Community Affairs Appeal of the Prince's Youth Business Trust, would probably have qualified for a PYBT grant himself — had it existed — when he arrived almost penniless in Britain

in 1972. "I know how difficult it is to start a business in this country," he said yesterday. "I was 24 and had recently joined my father's property company in Uganda when we were expelled. So I had to start from scratch in Britain." Today, he says, he is keen to help young people of all races to match his achievement, and has already helped to raise £5 million for the PYBT. "It wasn't only the money that excited me, but the business plans and practical advice that is also given." Representatives of all Asian groups and religions, including the Aga Khan and Judge Mota Singh, will attend tonight's dinner. How many would pass Norman Tebbit's cricket test is not known, but, says Virani, all would certainly pass the charity challenge.

Sans frontiers

With Test umpire David Constant having stood down in controversial circumstances from the series against New Zealand due to begin at Headingly on Thursday, and debate continuing on the call for neutral umpires, the cricketing authorities might care to visit the Hurlingham Club today. There they will find a brace of umpires who not only make no pretence of neutrality, but act as cheerleaders for their respective teams. The pair are also likely to break into a mysterious chant if the going gets tough for their side, and will do a celebratory dance when their rivals are dismissed, or injured.

But before spectators start ringing Lord's in protest, the practices are perfectly within the parameters of cricket as played in Papua New Guinea, where some exotic flourishes are mixed with more traditional rules. The game is part of the finale of the Rainforest Festival, and under South Seas rules each team may field as many players as it wishes — although today's numbers will be restricted to 15. They should be dressed in grass skirts, arm-bands and flower-and-feather head-dresses. The game is usually played with a carved wooden bat and a wooden ball, but today an indoor cricket ball is being used.

To think that we were shocked when Kerry Packer had his cricketers dress in pink pyjamas and play under floodlights. Enter the heavy mob **W**ith luck, the arrival of the feared English soccer hooligan in Italy for the World Cup will turn out to be a damp squib. But the Italians may be nonplussed by the accompanying army of hooligan industry officials and observers. The Home Office has given the names of 100 known troublemakers and expects another 100 or so, whose names are not known, to try to get into Italy. Even if the 200 give Italian immigration the slip, they will be far outnumbered by the 300 British reporters, many of them concentrating exclusively on off-field activities almost as many photographers, assorted sociologists, economists, plain-clothes policemen and press officers from three government departments who will be present throughout in case of trouble. Would it be too unfair to suggest that not a few will be disappointed if good behaviour prevails and their journey turns out to be a wild goose chase?



John le 150



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THE HUMAN DIMENSION

Who now remembers that the little-regarded Conference on Security and Cooperation in Europe (CSCE) began as the Cinderella of international diplomacy? The dowdy meetings which produced the Helsinki Final Act of 1975 were overshadowed by more glamorous negotiations. The guidelines on human rights were good in themselves but, being unenforceable by the western powers, were barely honoured by signatory countries east of the Elbe. The events of the past year have turned the CSCE, which meets on the "human dimension" in Copenhagen today, into the bell of the ball.

This 35-country body, with a series of international conferences and declarations behind it, is now expected to construct a new European security architecture for the next century, incidentally hoping to calm the Hungarian-Romanian friction in Transylvania. But the CSCE cannot hope to meet this huge quantity of expectation. Unless the governments are clear on what they can and cannot collectively achieve, their talk will remain so much cosmopolitan hot air. The Copenhagen talks must concentrate on individual rights, and their protection under law. Group rights may be the stuff of political conflict in Eastern Europe, but they must come second.

Even the more modest ambitions now planned for a beefed-up CSCE require rigorous testing. The Cold War thaw and the pictures of rioting mobs in western Romania have reminded western Europe that ethnic tensions were merely frozen, not eliminated, by Stalinism. A forum in which these disputes could be discussed and which might even enforce its judgements may seem logical. Logical, but fraught with complications which are receiving insufficient attention.

The human need to belong to group, tribe or nation is profound. For the past century, this need has most commonly found expression in the nation state. Any arrangement of the European nation states, including the present one, contains nationalism which collide, and therefore groups which consider the status quo unjust. President Woodrow Wilson's ambition to referee each of these tensions out of existence could not be fulfilled. Such conflict-

ing demands for the rights of groups can be managed well or badly, but they can only be managed.

Aggravation of ethnic conflict can sometimes be prevented by moral and diplomatic pressure. The Balkan members of the CSCE will not wish to jeopardise their membership of a newly prestigious club by flagrantly unjust treatment of minorities. But when pressure of words fails, the only answer in an emergency is physical force to separate the two sides. The experience of the United Nations has demonstrated that peacekeeping troops can only be deployed on the basis of a consensus among the big players. In the CSCE, this will involve 35 countries, stretching from Vancouver to Vladivostok, agreeing to act quickly.

This is unrealistic. Will the Soviet Union permit foreign forces to help keep Armenians and Azerbaijanis apart? In the less likely event of disturbances over Quebec separation, would Canada allow CSCE policemen within its borders? Large multilateral gatherings may seek to defuse crises. But for the CSCE to be caught up in rewriting the story of the League of Nations with a happy ending would be stupid.

The western countries originally came to the CSCE to set down markers for the fundamental human and political rights of individuals. The best way through the thicket of ethnic conflict is for international pressure to stick firmly to the paramount importance of safeguarding these human rights. Various kinds of difference can be recognized and respected inside nation states, but each nation cherishing human freedoms will hold individual rights superior to group rights.

The most important minority requiring the protection of basic freedoms is the individual citizen – the pivot on which democratic values turn. Freedom of movement is a key test in countries emerging from the imprisonment of dictatorship. Above all, there is freedom of speech, press freedom, freedom under the law. These are luminous and durable ideas, by no means yet accepted throughout Europe. They should remain at the top of the ever-expanding CSCE agenda.

CARDBOARD COMPASSION

The homeless, like the poor, are always with us, but not always as visible as they have lately become. A few hundred people sleeping rough in prominent areas of central London – so-called "cardboard city" – have captured middle-class imaginations. National Sleep-Out Week, a means of raising money for charities for the homeless, will offer unsuspecting worshippers at Westminster Cathedral an encounter with the likes of Mr and Mrs Paddy Ashdown sleeping on the steps.

The cardboard cities of the West End of London have not sprung up overnight. Many have moved from the poorer quarters further east. Statistics on whether there are indeed "more" homeless are unreliable, yet their plight is no less real for being unquantifiable. Behind the army of youthful dossiers in the Strand are abandoned fathers, abandoned mothers, inadequate schools and a decline of traditional rural and northern communities to offer secure family backgrounds and jobs to young people. This void is no longer filled by the churches. Even agencies such as the Salvation Army can do no more than provide a temporary roof over the itinerants' heads.

London's boroughs, preoccupied with housing single parent families, have understandably tended to regard refugees from the provinces as a low priority. As the East End and other traditional haunts of the homeless are steadily encroached upon by the City and the middle classes, even temporary accommodation is becoming harder to find. Public and private landlords are nowadays less inclined to turn a blind eye to squatters, while informal renters are growing smarter and more ruthless.

Tempted as the well-to-do may be to blame the latest wave of down-and-outs on Mrs Thatcher, the recession in house building or some other convenient target, there is no convincing case against any of these. Those who accuse the market of failing the homeless usually advocate schemes not unlike the ones that laid waste so many cities in the post-war frenzy of slum clearance and high-rise building, while doing nothing to ease homelessness. Council estates, like the charitable estates of the Victorians and Edwardians, tend to meet the needs of the settled and the "deserving".

SENSE AND SAFETY

The argument for requiring all motor coaches to be fitted with seat belts has been greatly reinforced by the tragic accident to a British coach which claimed 11 lives in France on Sunday. A vehicle careered out of control at something in excess of 70 mph can instantly become a travelling tomb unless those inside are firmly anchored, both against the shocks of impact and to save them from being thrown out. If there is any case for seat belts in aircraft and cars, then there is a case for seat belts in coaches too. The introduction of compulsory "belting up" in cars has already resulted in a major reduction in the incidence of serious injuries resulting from road accidents in the case of front seat passengers by about a third.

The Department of Transport in Britain says it needs no further persuasion. But according to the Secretary of State, Mr Cecil Parkinson, yesterday, nothing further can be done until the EC itself agrees. Vehicle construction in Britain is now subject to European standards, and changes in those standards are being blocked by other member states. The French, in particular, seem to regard the introduction of such sensible safety precautions as a potential violation of human liberty. The liberty to be thrown out of a vehicle moving at high speed is a precious Gallic privilege perhaps, but not one the British should have to die for.

Strangely enough, if seat belts were required by those EC standards, Parliament could pass a law making the wearing of them compulsory, irrespective of EC consent. It seems not yet to have occurred to the department's more ingenious officials that to make the wearing of seat belts compulsory would necessarily require that they be fitted in the first place, and the presence or absence of EC rules and regulations could be ignored.

Mr Parkinson is wrong to be so submissive in his attitude. If the British Parliament legislated to require seat belts to be fitted and worn, such legislation would be valid in Britain and enforceable through the courts. That is a simple statement of the principle of parliamentary sovereignty. If it offended the European Commission the consequences would have to be faced, but they would be consequences for the commission rather than for Britain.

Many long-distance coach journeys cross international boundaries, and the absence of international legislation would perhaps create anomalies. But neither the coach companies nor officials of the EC are going to insist that seat-belt anchorages be unscrewed at the border crossing. A touch of common sense and some British bulldog obstinacy in Mr Parkinson is the short answer to these difficulties.

LETTERS TO THE EDITOR

Reactions to collapse of the SDP

From Professor Geoffrey Lee Williams

Sir, Your elegant leader today on the demise of the Social Democratic Party repeats the fashionable but still largely untenable thesis that Dr David Owen behaved in an absurd and sullen fashion in his refusal to join the new Liberal Democrats during the merger crisis of 1988.

In our book, *'Labour's Decline and the Social Democrats'*, published early in 1989 by Macmillan, my brother and I refuted this theory in detail. The attempted merger of the two parties was not mistaken in principle; it was, in the event, badly executed. It resulted in the personal diminution of David Owen, who was the one politician capable of providing the merged party with the kind of leadership it desperately

needed. It was not to be. The pathetic bickering of ex-socialists and Liberals at local level; the obsession with structures and a myopic focus on introverted and internal party policy issues, have led ultimately to the destruction, not just of the Limehouse invention but (much more tragically) of the Liberal Party.

All as a result of the overriding political egomaniac of Dr David Owen and the weakness of David Steel.

Yours faithfully,
MALCOLM D. REESE,
Briony Cottage,
East Clandon,
Surrey.

June 3.

From Mr Nick Butler

Sir, Although the language of politics is dominated by talk of victories and defeats the appropriate Labour response to the demise of the SDP is surely one of generosity rather than triumphalism.

In Lincoln, where the SDP was born at the time of the 1973 by-election, its supporters have one by one returned their allegiance to the Labour Party. Some are now Labour Party members, even councillors. They have been welcomed back as equals with no spirit of condescension.

No principles have been sacrificed on either side. Instead there has been a mutual recognition that a serious political party can and must accommodate different views, if the left is not to be permanently defeated by its own divisions. New and common causes have overwhelmed past quarrels.

A Government which benefited so much from the divisions has, by an irony of history, also provided the incentive for all concerned to reunite. From a position of renewed strength, the Labour Party should extend a welcoming hand, in a spirit of generosity which values the future above the past.

Yours faithfully,
NICK BUTLER (Prospective parliamentary candidate for Lincoln),
Grafton House,
Newland, Lincoln.

June 4.

From Mr Malcolm D. Reese

Sir, The announcement of the winding up of the SDP is a betrayal of a vast unfulfilled sector of the electorate in this country, and is not ameliorated by the continued, faltering existence of Paddy Ashdown's ragged follow-

Poll tax alternatives
From Dr D. S. Redfearn
Sir, Richard Clarke's contention (May 25) that an urban rating system based solely on land value both encourages use and refrains from discouraging improvements is fully borne out by experience in New Zealand, among other countries.

The City of Auckland, for example, from the very beginning, has levied its rates on annual rental value, though without allowing, as we do, total exemption for vacant land. Wellington, on the other hand, from 1902 to 1988, when a short-sighted council reverted to capital value rating, followed the policy now advocated by Mr Clarke.

It is time for the British Government, and political parties aspiring to government, to take notice of such plain facts.

Yours faithfully,
DAVID REDFEARN,
15 Fennell's Close,
Eastbourne, East Sussex.

June 4.

From Miss Patricia Rawlings, MEP for Essex South West (European Democratic (Conservative))

Sir, I would like to thank *The Times* for its leading article (May 21), and consequent letters (May 31) on the subject of Venice and Expo 2000. Sadly, in none of these pieces was the positive role played by the European Parliament mentioned.

Through the overwhelming defeat of the Italian Socialists by 195 votes to 15, in the May session of the European Parliament, it thoroughly condemned Italy's application for Expo 2000 in Venice. This put immense pressure on the Italian Government to withdraw their candidacy – a solution which is strongly supported by a concerned public opinion.

Yours faithfully,
PATRICIA RAWLINGS,
88 Eaton Square, SW1.

June 4.

Academic freedom

From Professor F. G. B. Millar, FRB

Sir, There is at present a comparative lull in the pressures and anxieties which have racked the academic world for the last decade. Yet the fundamental changes in structure and atmosphere, and the restriction of the autonomy of the individual scholar or researcher, far from receding, now show every sign of being institutionalised and accepted as normal. By an extraordinary paradox, while the universities of Eastern Europe have regained freedom, state control has become established here.

The major issues which affect museums and the other institutions that conduct research, just as they do universities and polytechnics – are not only those of funding but of structure and ethos. It has been this Government's consistent policy that the framework within which all research and higher education is conducted

should resemble as closely as possible that of a large commercial firm, in which values and objectives are determined from above, to be fulfilled by staff who have no security of tenure, and must account for their productivity on a short-term basis.

We still await from the University Commissioners the precise legal definition of the terms under which institutions may make redundant those whose work currently seems unfashionable or inconvenient. Beyond that, the Education Reform Act of 1988 enshrined in law the total dependence of both the Universities Funding Council and the Polytechnics and Colleges Funding Council on the Secretary of State. Institutions within these sectors are now required to compete for favour with these bodies, which

are wholly controlled by the DES. The new procedure of "bidding" for student places is itself an example of this requirement.

It is in the face of the clear threat to academic freedom which the Act embodies that the Council for Academic Autonomy has been formed by a group drawn from universities, polytechnics and museums. The issues with which this council is concerned are not confined to dangers created by this or any other government. Freedom of thought, enquiry and teaching is always at risk, whether from state control, the demands of commercial sponsors or "managerial" ambitions within institutions. Such freedom is not only fundamental to the very nature of scholarship and research, but an important part of democracy itself.

Yours sincerely,
F. G. B. MILLAR,
Brasenose College,
Oxford.

May 31.

Cutback in rail freight services

From the Editor of Railway Gazette

Sir, Your report (May 30) that British Rail intends to abandon its Speedlink wagonload service confirms the worst fears of those who had hoped to see the Channel tunnel shift freight from road to rail.

Aside from bulk commodities, like coal and stone, most British industrialists treat the idea of putting their products on trains as a joke. The few who did not must now explain to their directors why they recommended investing millions of pounds in rail-served terminals and wagons which BR has converted overnight into scrap.

Prudent companies in the wagon hire business, like CAIB, saw this coming and stopped ordering new wagons three years ago. Tipperary, currently taking delivery of 100 costly (but now useless) wagons for carrying road trailers, faces a heavy write-off.

All wagons arriving at Dover on our sole surviving train-ferry link to the Continent have Speedlink. Half of the six million tonnes a year which BR projects for the Channel tunnel is due to be carried in 8,000 privately-owned wagons, only 2,400 of which exist today. Ralph Sheridan of Transfesa, a long established train-ferry customer, asked a conference in March: "Is there anybody here who feels confident enough to go out and order 6,000 wagons today?"

All the specialist companies which BR anticipated would buy these wagons are reeling from this latest blow. Without Speedlink, only a dozen British firms (yet to be identified, incidentally) will be linked into the continental wagonload network. Once Speedlink

goes, no factory which cannot promise complete trainloads for years ahead can send goods by rail.

This is an environmental disaster in the making – all the more so as it could be the last straw that breaks the back of Eurotunnel's refinancing package this autumn. If the Government joins in the party by rejecting plans for a high-speed passenger line to the tunnel, and thus brings what a splendid tribute that will be to market forces as a transport planning tool.

Yours sincerely,
RICHARD HOPE, Editor,
Railway Gazette,
Quadrant House,
The Quadrant,
Sutton, Surrey.
May 30.

From Mr David Wright

Sir, The British Rail reaction to its falling freight business by cutting services to customers illustrates the difference in approach of a nationalised industry and a private company.

With BR's assets a dynamic private company would alert its staff to provide a better service and get its marketing and sales department out into the field to promote freight business and to win orders – and incidentally give road haulage a hard time.

Instead, nationalised British Rail displays its usual apathetic approach to its customers, staff and shareholders. Compare this with privatised British Airways. Yours truly,

DAVID WRIGHT,
5 Burlington House,
Kings Road,
Richmond, Surrey.
May 31.

Justice and truth

From Mr Ludovic Kennedy
Sir, Mr P. A. J. Waddington's article ("Justice seen to be done", May 24) should be on the desk of every MP, judge and barrister in the country.

The adversary system is a comparatively late development in English law and came about, in the words of Professor Langbein of Chicago University, "slowly, incrementally, without plan or theory", until it became the top-heavy, wholly artificial creature it now is. Because it is essentially a game in which each side sees it has to win, it has a tendency to corrupt and in recent years has corrupted both the police and some of the judiciary, resulting in too many convictions of the innocent and too many acquittals of the guilty.

The sooner we can go over to an inquisitorial system such as is practised on the Continent, whose object is to find the truth, where in all serious cases an examining magistrate (and not the police) and the presiding judge (and not counsel) do the questioning and the accused no longer has a right to silence, the nearer will we be to having a truly impartial system of criminal justice.

At a time when we are applying new religious freedoms all over Eastern Europe and Russia, should not some restitution be made by the country to the greatest of all the saints in honour of whom England was proud to call herself the Dowry of Mary?

Yours sincerely,
J. L. HOAR,
41 East Street,
South Molton, Devon.

Marian shrine

From Mr John Hoar
Sir, It should not go unremarked that the 550th anniversary of the founding of Eton College by King Henry VI in 1440 coincided with a "High Anglican" pilgrimage to the shrine of Walsingham (report, May 29). Both these great medieval institutions were dedicated to Mary, mother of the Saviour, Walsingham being the foremost Marian shrine in England and one of the most famous in Christendom.

While Walsingham was ruthlessly destroyed at the Reformation, the statue of Our Lady of Walsingham being smuggled to London and secretly buried, Eton, whose founder prescribed that "every day of the year" choristers, together with the master, shall sing solemnly and to the very best of their ability an antiphon to the Blessed Virgin with the verse 'Ave Maria and prayer' was secularised and became, for better or worse, what it is today.

At a time when we are applying new religious freedoms all over Eastern Europe and Russia, should not some restitution be made by the country to the greatest of all the saints in honour of whom England was proud to call herself the Dowry of Mary?

Yours sincerely,
ANTHONY P. HALL,
5 Mainland Avenue,
Harpden,
Hertfordshire.

mailing them. The overwhelming majority of companies that use direct mail recognise this and act accordingly.

There is, it has to be said, some companies who do not act responsibly and whose direct mail efforts can genuinely be regarded as junk mail. They will not survive for long.

Yours faithfully,
JOHN ABRAM (Director),
Abram, Hawks Associates Ltd.,
Oakfield House,
35 Perry Mount Road,
Haywards Heath, West Sussex.

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COURT CIRCULAR

BUCKINGHAM PALACE
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Today's royal engagements

The Duke of Edinburgh, Master of the Royal Household, attended the annual court meeting and luncheon at Trinity House at 11.25; and as Colonel-in-Chief of the Royal Electrical and Mechanical Engineers, will attend a reception at St James's Palace at 16.15.

The Princess of Wales, as Patron of Turning Point, will attend a charity gala at Sadler's Wells at 7.30.

Anniversaries

BIRTHS: Adam Smith, political economist, Kirkcaldy, Fife, 1723; John Couch Adams, astronomer, Looe, Cornwall, 1819; John Maynard Keynes, Baron Keynes, economist, Cambridge, 1883; Dame Ivy Compton-Burnett, novelist, Pinner, Middlesex, 1884; Ruth Benedict, anthropologist, New York, 1887; Federico Garcia Lorca, dramatist and poet, Fuente Vaqueros, Spain, 1898.

DEATHS: Orlando Gibbons, musician, Canterbury, 1625; Carl von Weber, composer, London, 1826; Thomas Henry Lister, dramatist and novelist, London, 1842; Stephen Crane, writer, Badenweiler, Germany, 1900; O Henry, pseudonym of William Sidney Porter, writer, New York, 1910; Herbert Kitchener, Earl Kitchener, field-marshal, lost at sea on HMS Hampshire off Orkney, 1916; Georges Feydeau, dramatist, Paris, 1921.

The invention of the balloon by the Mongolfier brothers at Annonay, France, 1783. The beginning of the six-day war in the Middle East, 1967. Senator Robert Kennedy, USA, Attorney-general was shot by a Jamaican Arab in Los Angeles; he died the following day, 1968.

Lady Hollis of Heigham

The life barony conferred upon Patricia Lesley Mrs Hollis has been gazetted by the name, style and title of Baroness Hollis of Heigham, of Heigham in the City of Norwich.

Admiral Sir Frank Hopkins
A Memorial Service for the late Admiral Sir Frank Hopkins, KCB, will be held in RNC Greenwich on Tuesday, June 26, at 14.30. Attendance will be by ticket only, obtainable from The Flag Officer, Naval Aviation, RNAS Yeovilton, Ilchester, Somerset BA22 5HL.

Service dinner

Parachute Regiment and Airborne Forces in Scotland
The Lord Provost of Glasgow was the principal guest at a dinner held on Saturday at the City Chambers, Glasgow, to mark the fiftieth anniversary of the Airborne Forces. General Sir Geoffrey Howlett, Colonel Commandant of the Parachute Regiment, presided.

Meeting

Royal Over-Seas League
The Dean of St Paul's was the guest speaker at a meeting of the Discussion Circle of the Royal Over-Seas League held last night at Over-Seas House, St James's. Mrs Elizabeth Cresswell presided.

St Hugh's College

Mr Derek Wood, QC, succeeded Miss Rachel Trickett as Principal of the College from August 1, 1991.

Darwin College

Elected Inchon Memorial Fellow for the academic year 1990/1991: Dr Kwang Sup Soh, Seoul National University.

Leeds
Professor Brian Jewell to be full-

time Director of Medical and Dental Development for an initial period of five years.

Glasgow
Appointments
Mr Christopher D Morris to the Chair of Archaeology with effect from October 1

London
King's College
Presentation Fellow: Dr Anita Brookner, Dr Roberto Artur de Luz Carneiro, Professor S Ranald Quirk.

Fellow: Mr David Owen Ball, Professor Paul Joseph Black, Professor Brian Blundell Boycott, Professor Francis Geoffrey Jacobs, Mr Patrick Carroll Macnamara, Professor Norman Malcolm, Professor Richard Rustom Kharshedji Sorabji.

University news

Oxford
The Queen's College

Elections
To an Honorary Fellowship: Professor Siegfried S Prawer, former Professorial Fellow of the College.

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Cambridge

Darwin College
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Leeds
Professor Brian Jewell to be full-

Mrs Robin Benson and Major The Lord Napier and Errick were in attendance.

The Duke of Gloucester today visited East Sussex and was received by Her Majesty's Lord Lieutenant for East Sussex (Admiral Sir Lindsay Bryson).

In the morning, His Royal Highness visited the English Heritage Battle Abbey Site and Battle Abbey School.

Later, The Duke of Gloucester, as Patron, visited Pestalozzi Children's Village Trust, Sedlescombe.

In the afternoon, His Royal Highness opened the extension to the Kent and East Sussex Railway Line at Northiam Way Station.

Major Nicholas Barre was in attendance.

THATCHED HOUSE LODGE RICHMOND PARK

June 4: Princess Alexandra and Sir Angus Ogilvy were present this evening at a dinner held for the Centre for Research into Adolescent Breakdown (Johnston House, London NW6) at Lambeth Palace.

Mrs Peter Afia was in attendance.

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THE TIMES

DEAR MR. LISO



Having all the answers isn't always the solution.

It's a dilemma shared by fishermen and businessmen. Whether they're casting for a catch, or sizing up a business problem. The fact is that even the most tempting technology can leave you empty handed, unless it's directed in precisely the correct way. So as well as applying our leading edge technical skills, Andersen Consulting makes it a practice

to understand your business. Your immediate needs. Your future goals. Your people. It is this unique combination of business and technical skills that has made our approach successful. In industry after industry. And in country after country. Because it's not enough to have the best fishing tackle. You also need to know how to fish.

ANDERSEN
CONSULTING

Staying ahead in the race

Amanda Atha sets out the rules for the season's big events

In this year of casual dressing, it may seem odd that the number of people turned away from Henley and Ascot for incorrect dress appears to be increasing and that rules on dress are, if anything, more rigorously applied today than at any time in the past 40 years.

What is a girl to do? I say girl advisedly, because apart from a little problem with the silk roll

collar in the Sixties and the occasional ejection from smart restaurants for tielessness or jeans, no man has ever been turned away from anywhere. The reason for this is that the rules are made by men and men mostly do not understand fashion.

Also, men do not wear skirts

(apart from kilts). Skirt length is the crux of the matter, and the bone of contention is the knee. The men of Ascot and Henley do not like knees. Indeed, the wording on skirt length for the Royal Regatta — an event, incidentally, now widely reported to be more difficult to get into than Ascot —

has been adjusted this year to make this quite clear. "The knee," said the spokesman for the regatta, Richard Lovett, "is a fairly large area. There have been misunderstandings."

The Queen, on the other hand, does like knees, or at any rate she tolerates them. Receptions at

Holyroodhouse, for example, stipulate dress kits may be worn, but no mention is made of length, perhaps because Her Majesty has the good manners to assume that wearers are aware of what the correct length should be. (There is a correct length, but not everyone gets it right.) She might be disconcerted if you turned up in a kit to which you were not entitled, and — I am told — she likes to see medals well polished, but on the whole the Palace is relaxed about matters sartorial.

The other danger zone is the head. This is not as knotty as the knee problem, possibly because men are more nervous about pronouncing on hats than on knees, but it causes just as much soul-searching among the faithful. I have a theory that the tradition of carrying half the Harrods haberdashery department on your head is more a matter of overkill ('You want a hat? You've got it) than joie de vivre.

Here are the official guidelines for this season, plus a few tips from some of life's nastier dressers:

Royal Enclosure, Ascot: For her, "only formal day dress with a hat covering the crown of the head will be acceptable; off-the-shoulder dresses and/or miniskirts are considered unsuitable." You may get away with a crownless hat if you have a really amazing hairstyle — use enough lacquer and they will not even notice what is hat and what is not. For him, "only black or grey morning dress with top hat or service dress should be worn in the Royal Enclosures. No cameras, portable phones or umbrellas carrying advertising.

Henley Stewards' Enclosure: Ladies should wear dresses or suits and will not be admitted wearing skirts which do not cover the knee, divided skirts, culottes or trousers of any kind ... Similarly, no one will be admitted to the Stewards' Enclosure wearing shorts or jeans. A hardened short-skirt offender adds: "To be honest, I only don't get caught because I am very, very careful. You have to be smarter than they are. I like to show a bit of leg — and why not? — and have been known to undo a button and pull down the skirt a little to get in." (If your little Yves Saint Laurent ensemble fails the knee test, there are one or two boutiques in the main street of Henley which will sell you an unexceptionable little number for the occasion and throw in free advice.) For him: "Gentlemen are requested to wear lounge suits, jackets or blazers with flannels and a tie or cravat." No picnics, dogs, children under 10, radios, portable phones.

Buckingham Palace: Garden



HENLEY: Left, coral linen and viscose jacket, £225, Dries van Noten, The Beauchamp Place Shop, SW3. Pleated skirt, £135, Mulberry, 11-12 Gees Court, W1; Hackett, SW1; The Beauchamp Place Shop, SW3. Straw hat with roses, £120, Herbert Johnson. Faux pearls, £36, Ciro. Shoes, £140, Rayne. Right, navy blazer with yellow and silver stripes, £225 ready to wear, Dego, 10 Savile Row, W1. Cream gabardine trousers, £59, navy and white silk tie, £23, pale blue cotton shirt, £39, boater, £23, Hackett. Pastel silk blouse, waistcoat, £135, Tom Gibby. Cream canvas shoes, £23.99, Next

parties — for her, "day dress with hat". The safest thing here is to look as much like the Queen as possible — shirred-waist, court shoes, little hat — you know, mildly festive but sensible. As a spokesperson for Buckingham Palace said, however, Her Majesty is not going to turn you away if you get it a bit wrong. For him: "Morning dress, lounge suit or national dress." There is no Palace definition of national dress. "It really applies to embassy people who come and they would certainly know their own national dress," said the spokesperson. Americans in jeans? "Certainly not! They wouldn't dream of it." (The magic words "national dress" can get you out of sticky situations if argued confidently with waiters in smart restaurants. Claim somewhere not instantly recognizable, such as the Ptaia Islands.) Investitures — both sexes, uniform, although "orders, decorations and medals should not be worn". For her: "Day dress. Ladies almost always wear hats though they don't have to." For him: "Recipients normally wear morning dress." Otherwise: "Service dress, morning dress or dark lounge suit." Evening receptions — varies. State banquets might say white tie, in which case Moss Bros is now considered more acceptable than arriving in a cloud of mothballs.

Wedding: For her, a Nicholas Oakwell hat (but beware of buffing people in the next pew). Fitted grosgrain jacket; short skirt — this is your big chance to show a knee. For mothers of small attendants, nothing too short or too tight (too much bending). For him, when in doubt, morning dress.

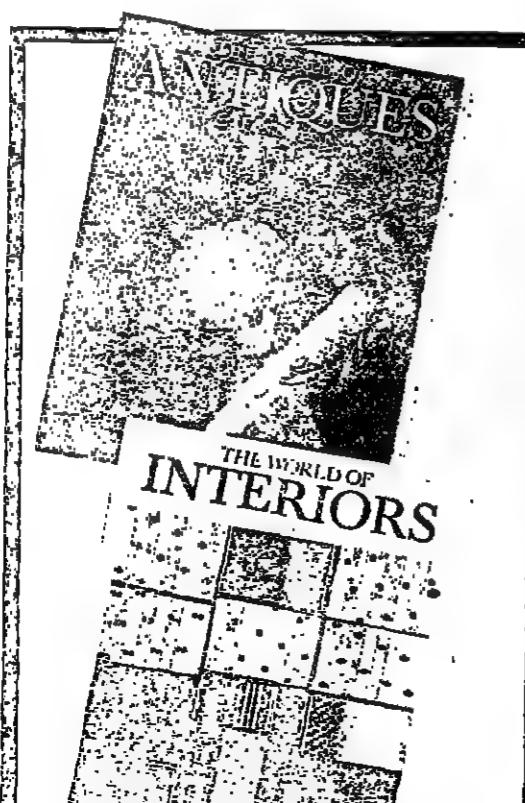
School speech days: Sunday best is the norm. Public schools with liberal traditions tend to produce a wider variety of outfits (including jeans, as long as accompanied by the correct accent) than more conservative, newer establishments. Sunniest schoolboys — Harrovians with their wonderful hats and waistcoats.

• Liz Smith is on holiday



ASCOT: Left, white jacket with navy flowers, £275; navy skirt, £110, Caroline Charles, 56-57 Beauchamp Place, SW3; Hoopers, The Promenade, Cheltenham; Alderley Road, Wilmslow. Navy and white hat, £225, Herbert Johnson, 30 New Bond Street, W1. Shoes, £29.99, Next, branches nationwide. Navy bag, Harvey Nichols, SW1. Centre, black morning coat, £265, sponge-bag trousers, £69, top hat, £159, white cotton shirt, £39, Hackett, 750 New King's Road, SW6. Pink brocade waistcoat, £112.70, Tom Gibby at The Waistcoat Gallery, 2 New Burlington Place, W1. Silk tie, £32.50, Georgina von Ezdon, 148 Sloane Street, SW3. Black brogues, £49.99, Next. Right, cut gold viscose dress, £99, Paddy Campbell, 8 Gees Court, W1; 17 Beauchamp Place, SW3. Black straw hat, £39, Fred Bare, Mayfair, Harrods, SW1. Silk scarf, £12, Corridors, High Street, Bath. Faux pearl choker, £230, Ciro, 9 New Bond Street, W1. Pearl pearl bracelets from Ede & Butler & Wilson, 20 South Molton Street, W1, and 189 Piccadilly Road, SW3. Suede bag, £75, Henry's, 103 New Bond Street, W1; 18 Princes Square, Glasgow; 1 City Plaza, Birmingham. Shoes, £140, Raynes, 15 Old Bond Street, W1; Jenners, Edinburgh.

Make-up by Daniel Sandler. Hair by Gerald de Cock for Orléans at Parachute in New York. Photographs by JOHN BISHOP



Another world:
antiques and fine arts
supplement free with
June's issue

On sale now

£1.50

A RATHER SPECIAL CARPET SALE IN CHELSEA

Benardout are having a sale of their luxury carpets and rugs in their new sale shop. The collection includes a wide range of Cords, Velvet and Twisted Wiltons, Mattings and Portuguese Needlepoint Rugs.

A Benardout sale is a rather special and rare event. The last one was in 1980. Miss this one and you might have to wait until the next century.

Sale

Starts tomorrow
10am-5pm Monday-Friday,
or by appointment

the
benardout
sale shop

58 Old Church Street
Chelsea, SW3 5DH
(behind Designers Guild)
071 351 7466
071 352 6527



GARDEN PARTY (left): Flower print linen jacket, £295; white skirt, £110, Caroline Charles. Straw hat with navy trim, £72, Fred Bare. Gloves, £11.95, Selfridges, W1. Ear-rings, £17.50, Ciro.

WEDDING (right): Dark pink grosgrain jacket with black buttons, £297; pink and purple silk print skirt, £237, Edina Ronay, 141 King's Road, SW3. Fortnum & Mason, W1; Harvey Nichols, SW1; Room 7, 25 King Charles Street, Leeds; Judy Graham, The Promenade, Cheltenham; Image, 19 Northumberland Place, London; Kendal Milne, Manchester. Navy blue cock-feather hat, £250, Nicholas Oakwell at Harvey Nichols, SW1. Bag, from a selection, Giorgio Armani, 178 Sloane Street, SW1. Twisted fake pearl necklace, £225; gloves, £24.95, Selfridges, W1. Gilt ear-rings, £70, Ciro



String of pleasure

PEARLS are the tribal decoration for special occasions. Mappin & Webb is holding a pearl show — the Beauty of Pearls Exhibition — from June 19-30 at 170 Regent's Street, London W1, 9am-5.30pm (Saturday 5pm), at which you can learn the life and times of pearls ancient and modern, and find out how to look after your own. Also, of course, you can buy a strand or two. Or three. Style and length are as variable this season as hemlines, although a spokesperson for Mappin & Webb observes that "people are definitely buying them bigger and longer".

Pearls, incidentally, are organic,

and therefore might be considered a good green thing. Natural pearls are worth up to 10 times more than cultured ones if they are of comparable quality, and now there is the possibility of a whole new harvest on the sea bed: since the natural pearl market collapsed early this century through over-exploitation and pollution, together with the Wall Street crash and the emergence of the cultured pearl, oysters have had time to regroup and grow again (note, however, that the black-lipped and gold-lipped pearl oysters are endangered species).

HOTLINE

DIY Cartier

CARTIER is opening a large new jewellery shop at 188 Sloane Street, SW1 in early July, at which you will not only be able to buy set pieces but also order pieces of your own design, to be made up in the Old Bond Street workshops.

Odds on

HACKETT will run you up a waistcoat in your racing colours in proper racing silks (ie, acetate). It takes two weeks and costs £125.

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DANCE

Moving ability

Isabel Wolff reports on some encouraging theatrical steps for disabled performers

In a stuffy rehearsal room in Fulham, two dancers perform an intricate and faultless *pas de deux*. Not such a remarkable sight, one might think, except that they are both blind. To one side, the large *corps de ballet* stands silently watching and awaiting its cue. When the music changes, these dancers fan out with soldierly precision. Yet the majority are mentally handicapped. It is a striking scene, but for the Amici Dance Theatre Company, it is routine. After all, next year they tour Japan.

Amici was set up 10 years ago by the Berlin-born choreographer and teacher Wolfgang Stange, who, after training at the London School of Contemporary Dance, worked as a dance therapist with mentally and visually handicapped people, and with stroke and cardiac patients. He was overwhelmed by the power of dance to rebuild confidence. In 1980 he decided to take his work out of the hospitals and onto the stage.

Yet Amici is, emphatically, a professional performance company and not a therapy group. Chrissie Kugel, who is blind, plays the female lead in *Passage to Sanity*, one of Amici's two new productions. "Amici is a company of multi-ability, not disability," she says. "We set ourselves as putting on professional dance dramas of a rather exciting kind."

Amici means "friends", and most of the 40 or so members have been with the group since the start. "There's a great deal of trust within the group," says Stange, "yet people who don't know our work assume that the blind students must always be crashing into each other and getting hurt. But this simply never happens; all the dances know instinctively where to place themselves."

There are some able-bodied performers, most of whom are professional carers or therapists. The mentally handicapped students come from the Stratford residential centre in North

London, and most have Downs Syndrome. Many have learning difficulties, yet in rehearsals they absorb everything, and the level of concentration is extremely high. Stange says: "I think the fact that these students don't have the ability to intellectualize about their roles is an advantage because they are so open. Their improvisational ability is fantastic."

Nigel Warrock directs *Mercurius*, a portrayal of the trickster figure in mythology and popular culture, which is the other half of the double-bill. "If someone comes up with a movement or sequence that is particularly strong," he says, "everyone is delighted and encouraging. There's no problem with jealousy or egomania."

Passage to Sanity is about a young woman suffering from manic depression. Based on the experiences of one of Wolfgang's psychiatric patients, it also examines some of the political and social issues surrounding mental handicap. But the company is only obliquely political, unlike other companies which employ disabled actors, such as Graeae.

Many of the Amici dancers are convinced that the day of the disabled performer has arrived. I asked Chrissie Kugel what she thought of able-bodied actors such as Daniel Day-Lewis and Dustin Hoffman playing disabled people in plays and films. "I don't resent that at all," she says, "because they are simply actors playing a part, and I really don't think there's anything more to it than that."

According to Stange, the issue is not access to particular roles, but access to the theatres themselves. "It's deeply ironic that it's easier for a handicapped person to perform on stage than it is for his disabled friends to come into the theatres to watch him. It's time the theatre was properly addressed."

• *Amici Dance Company opens tomorrow, and runs until June 9 at Riverside Studios, London W6 (081-748 3354)*



Striking scene: The Amici Dance Company in "Ruckblick"

CLASSICAL MUSIC

Flying in for the festival

In my ideal world, the public purse would take care of the economic side of the arts, and the job of its administrators would be to stimulate excellence and progress. But economic realities have forced the forging of many an unlikely alliance of industrial and artistic organizations.

Fortunately for its own survival, art is still seen as smart in the eyes of many a public relations officer – though, paradoxically, serious artists do not tend to be too concerned about social elevation. That is one reason why the relationship between industrial sponsors and those whose activities they finance is often uneasy.

On one hand, demands can amount to bribery, and on the other, compromise can result to keep the money rolling in.

One company that would seem to be different from the rest is Lufthansa. Each summer the German national airline provides vital support for the Almeida Festival of Contemporary Music, which, though acknowledged as one of the leading events of its kind, appeals to a tiny, young audience, few members of which could probably afford to buy Club Class air tickets to Cologne.

That assumption probably does not apply to many of those who patronize the other annual summer festival sponsored by the company, the Lufthansa Festival of Baroque Music. Even so, the hard pews of St James's Church, Piccadilly, are worlds away from the plush seats of, say, the Barbican.

Undoubtedly there are solid commercial reasons for such financial backing – Lufthansa's London offices are just opposite Wren's magnificent church – but the image of the festival is hardly glossy or high profile, and is unlikely to become so.

One begins to suspect, reluctantly, that this company really means it when it claims the customary

corporate devotion to the art of music.

Of course, German music fares rather well in the ten evening and ten lunchtime concerts spaced unevenly across the month, though only one German group, Musica Antiqua Köln, is to visit this year (their concert is tonight).

For the first time, Trevor Pinnock, a roving conductor of Haydn and Mozart, gave a programme of Haydn and Mozart which made the sharpest of contrasts with the music and the manner of the New York-based Bach Ensemble's recital the following evening.

If one were to compare directly the standards of the playing of these two groups, then the Americans would have to be judged as superior for their sheer polish, with the easy blend and confident sound of their oboes a particularly distinctive and welcome feature.

Yet the comparison is not fair. Haydn and Mozart – at least in the faster movements of the two stormy G minor symphonies played here, Haydn's No 39 and Mozart's No 25 – demanded daring from the performers, a feeling that they were walking close to the edge of the cliff. That quality these performances certainly possessed, no matter that the odd high horn note was split, or that the string sound very occasionally betrayed a certain roughness, or indeed that this difficult acoustic – warm, resonant, but not ideally balanced – sometimes obscured inner details.

There was also elegance in the easy momentum of the Andante in the Haydn and in the intense sighings of the equivalent movement in the Mozart. Groups such as the English

Concert are small enough to be run on more or less democratic lines, and like the classical orchestras whose style they emulate they tend to provide their own soloists for concertos.

Many an exhibitionistic romantic violinist would do well to study the violin playing of Simon Standage at close quarters. Haydn's G major concerto may not be too technically stretching, but all the same, Standage's almost immobile stance concentrated the mind wonderfully on the sweetly refined, subtly articulated sounds he produced.

The oboist Paul Goodwin, on the other hand, swayed his body lavishly in Mozart's C major Oboe Concerto. There were a few moments of uncertain intonation and a woody quality in the tone conspicuous by its absence when his American colleagues played the following evening. Nevertheless Goodwin's control was for the most part impressive; his phrasing was richly expressive, and some of the high, sustained notes were shaped well.

Three cantatas by Bach formed the programme the following evening, when the accent was very much on sobriety. Even so, Joshua Rifkin, the Bach Ensemble's director, invested his performances with an intense ardour emphasized, if anything, by the practice of his own theory that the choruses for these works were sung by solo voices, and that sobriety does not always imply lack of colour or imagination.

In Cantata 78, "Jesu, der du meine Seele" and in Cantatas 23 and 39 there was many a refined obbligato from oboes, recorders and violins, while the sole team of Jane Bryden (a slightly uncertain substitute for Ann Monoyios), Michael Chance, John Elwes and Peter Harvey blended well in ensemble and made some distinctly pleasing solo contributions.

STEPHEN PETTITT

PICTURE: ANDREW HETHERINGTON

PICTURE:

TELEVISION & RADIO

COMPILED BY PETER DEAR AND MARIT HARGIE
©TELEVISION CHOICE PETER WAYMARK/RADIO CHOICE PETER DAVILLE

BBC 1

- 6.00 Ceefax.
 6.30 BBC Breakfast Time with Nicholas Witchell and Fiona Foster 6.55 Regional news and weather.
 9.00 News and weather followed by *The Travel Show* Guide to Ibiza (r) 9.35 *Discovering Birds* presented by Tony Soper (r)
 10.00 News and weather followed by *Matchpoint* (r)
 10.25 *Playdays*. For the very young 10.50 *Stopit and Tidyup*. Cartoon narrated by Terry Wogan (r)
 10.55 Five to Eleven. Dr Akbar Ahmed with the second reading from his book *Discovering Islam*
 11.00 News and weather followed by *Hudson and Hales*. The camp cooks prepare another meal (n) 11.30 *Tricks of the Trade*. Handy hints and tips (r)
 12.00 News and weather followed by *Dallas* (r). *Ceefax* 12.50 *The Travel Show* UK Mini Guides. Wets, Somerset (r) 12.55 Regional news and weather.
 1.00 One O'Clock News with Philip Hayton. Weather.
 1.30 Neighbours. (Ceefax) 1.50 *Matchpoint*. Quiz game.
 2.15 Film: *One Good Thing* (1954, b/w) starring Norman Wisdom, Thora Hird and Joan Rice. Eventful comedy in classic Norman Wisdom button style, in which he plays a handyman trying to raise money for orphans. If you are a Wisdom fan then you'll find this chaotic comedy hilarious. If not, every minute of it will get under your skin. Directed by John Paddy Carstairs. Northern Ireland: Open House 3.00. High Chapparal

BBC 2

- 7.10 Open University: *Discovering Chemistry*. Ends at 7.35
 9.00 Daytime on Two: spelling help 9.10 In a BBC TV newsroom 9.40 Derby Cathedral 10.00 Science for the young 10.15 Religious beliefs of Australian Aborigines 10.40 A profile of Greenville, Mississippi 11.00 Cage birds 11.15 Two young children have home-sickness on holiday 11.35 Designing a room 11.55 How a farming community in south-west France is coping with the effects of the European Community 12.15 Four artists talk about their work 12.35 The first of a two-part story about two teenagers having their first serious relationship 12.35 The first of three reports on how to succeed in the European market 1.20 *The Adventures of Spot* 1.25 What's inside? 1.40 A level statistics 2.00 News and weather followed by *You and Me* (r) 2.15 *See Hear!* (r) 2.40 In the Garden. Dennis Cornish with ideas for window boxes and containers to add a dash of colour.
 3.00 News and weather followed by *Westminster Live*. Includes Prime Minister's Question Time 3.50 News, regional news and weather 4.00 *Starkey and Hutch*. Vintage soap series, now pensioned off (r) 4.50 *Notes in the Margin*. Malcolm Bradbury and guests discuss how 1980s writers projected their ideas of 1980s society (r)
 5.30 *Gardeners' World*. How to prevent plants from suffering from a lack of water (r). (Ceefax)
 5.00 *Stan Laurel in Somewhere in Wrong* (b/w). A rare showing of one of Laurel's early solo films

RADIO 1

- FM (Nemo and MW)
 8.00am *King 8.00 Steven Maye*
 8.20 Simon Bates 12.30pm *Steve Wright in the Afternoon* 5.30 News 5.50 Weather 6.00 *Newspaper* 6.30 *Countdown* 7.00 *World News* 7.05 24 Hours. *News Summary* and *Financial News* 7.20 *Euros* 7.30 *Business News* 7.45 *Financial News* 7.55 *Healthwatch* 8.00 *Comcast* of the Month 9.00 *World News* 9.05 *Review of the British Press* 9.15 *The World* 9.30 *Financial News* 9.35 *Sports Roundup* 9.45 *Capital* 10.00 *News* 10.15 *Business News* 10.30 *Middle East* 10.45 *Music News* 11.00 *World News* 11.05 *News About Britain* 11.15 *Wavewatch* 11.30 *Magazine* 12.00 *Newswise* 12.15 *Midnight Matinee* 12.45 *Comcast* 1.00 *Midnight Matinee* 1.15 *Capital* 1.30 *Business News* 1.45 *Music News* 1.55 *Healthwatch* 2.00 *Comcast* of the Month 2.30 *World News* 2.45 *Review of the British Press* 2.55 *The World* 2.50 *Financial News* 2.55 *Sports Roundup* 2.55 *Capital* 3.00 *News* 3.15 *Business News* 3.30 *Midnight Matinee* 3.45 *Music News* 3.55 *Healthwatch* 4.00 *Comcast* 4.15 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Peking students protest again

From CATHERINE SAMPSON
IN PEKING

SECURITY forces increased their presence around Peking University early this morning as students smashed bottles in a second demonstration marking the first anniversary of the Peking massacre.

The second demonstration was smaller than that on Sunday night, Monday morning, and involved mainly wavy singing and bottle smashing. Some students lit candles in their rooms in memory of those who died, and some stood at a window as a police convoy passed by.

Students said, however, that the first demonstration, when some 200 students had pelted police with bottles from their dormitory windows, had been their big fling, and they planned nothing else.

Police asked foreigners to leave the area around the campus at about midnight last night. One foreigner who unintentionally got left behind at the university's main gate was punched in the stomach by a uniformed policeman. A witness later reported uniformed police at the same spot attacking a Chinese man with rifle butts, and breaking up an ice-cream stall.

Police and troops blocked streets leading to the campus, allowing Chinese cars through but refusing access to cars driven by foreigners, apparently in an attempt to keep out foreign journalists.

Several convoys of troops were seen moving into the area. Each consisted of two paramilitary police Jeeps, about six motor cycles with sidecars, each transporting three men in combat gear, and a lorry load of what appeared to be worker militia members.

Massacre defended, page 9



Peking students, top, listening to a leader early on Monday, the first anniversary of the massacre in Tiananmen Square where, below, thousands of Asian Gypsies taxi drivers later marched in a Government move to keep protesters out. Another photograph, page 9

Owen accused of abandoning SDP to save seat

By ROBIN OAKLEY

DR DAVID OWEN and the SDP's two other MPs were yesterday accused of abandoning the party in an attempt to work their way back to Labour and save their seats. Meanwhile Labour party leaders have warned there will be no special re-entry deals for them.

Mr John Martin, a former candidate for the presidency of the SDP and its candidate in the Kensington by-election in 1988, said last night that the winding up of the party on Sunday by its national committee was unconstitutional and had been pushed through in order to spare Dr Owen a confrontation with the membership.

Mr Martin has hired the Josiah Mason Memorial Theatre in Birmingham for June 16 and invited nearly 500 members of the Council

for Social Democracy, the party's elected representatives, to attend and discuss what should be done about the future of the party. If enough people vote in favour of continuation, he is prepared to mount an effort to maintain it in being and Dr Owen has agreed to turn over the membership register. But Dr Owen, Mr John Cartwright and Mrs Rosie Barnes are not being invited to the meeting.

The letter sent out yesterday to CSD members expressed shock at the "precipitate action" of the National Committee and said that constitutionally only the party membership could wind up the SDP. It added: "The truth is that the party has been abandoned by its MPs, who are working their passage back to the Labour party. The SDP, to their regret, is now an inconvenience. This is not dishonourable on

their part and we can be sympathetic to them in their dilemma, but it does mean that the SDP has no parliamentary representation."

The creation of the Campaign for Social Democracy suggested by the three MPs was dismissed as a "cosmetic device" without members or funds and Mr Martin said last night that the three MPs clearly hoped to have the whole membership available to work for them in fighting their three seats following the disbandment of the party.

Dr Owen has not ruled out a return to the Labour Party and remains guarded about his intentions on next election. He talked in interviews yesterday of putting back together the "family of Social Democracy", although he added: "It is some way off. It requires a real genuine wish and generosity of spirit from both sides." On the Channel 4

C'mere programme he said: "I am not going to be the reason why Labour loses the next election." He added that he felt a debt "not to damage them" after the policy changes which had been made. He said that he was "not yet" in position to endorse Labour's programme but he thought it "possible" in some circumstances that he could finish up fighting the next election as a Labour candidate in his present constituency.

But Mr Cartwright and Mrs Barnes are insisting that they will fight the next election as independent social democrats. Both Mr Cartwright, a former Labour MP, and Mrs Barnes have said they have no intention of returning to the Labour Party.

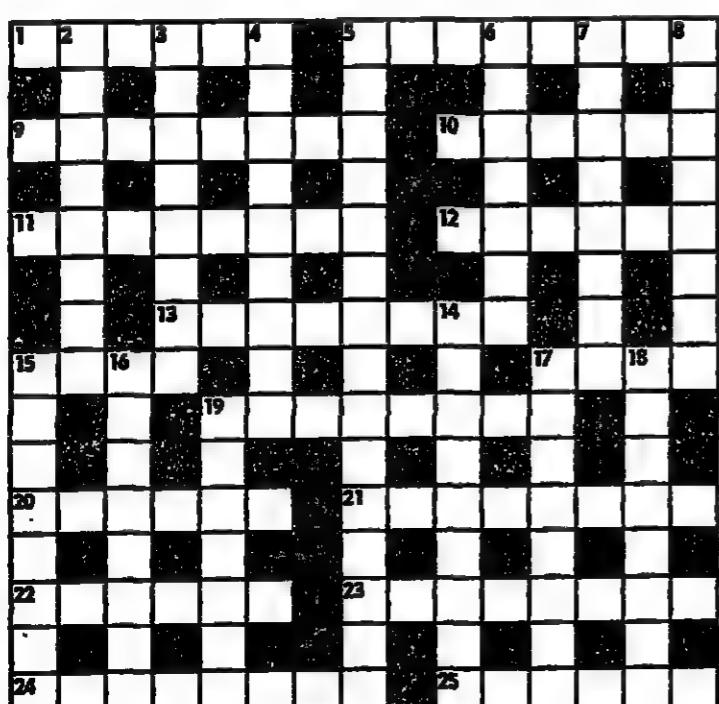
Although senior Labour figures were initially welcoming to the disbanding SDP they were

emphasising last night that there would be no special deals for its MPs. Mr Roy Hattersley, Labour's deputy leader, said that the Labour candidate already chosen in Plymouth would be the Labour MP for the city after the next election. He added: "Dr Owen can't hop back into the Labour Party and expect to enjoy all the privileges that were his before he deserted." Dr Jack Cunningham, Labour's campaign co-ordinator, said that Dr Owen and any others would have to apply to local Labour Party branches to become members in the ordinary way.

Mr Martin yesterday said that the SDP had been brought to its present state by Dr Owen's public flirtation with the Labour Party.

Grass roots reaction, page 2
Letters, page 13

THE TIMES CROSSWORD PUZZLE NO 18,312



WORD-WATCHING

A daily safari through the language jungle. Which of the possible definitions is correct?

By Philip Howard

REPTON

a. A cry of encouragement

b. A high stool

c. A drinking cup

HANDJAR

a. Small cosmetic pot

b. A kind of hawk

c. A Persian dagger

PUNA

a. Spotted wild cat

b. A unit in Scots Law

c. A tableland

ISH

a. A comparative modifier

b. Liberty of going out

c. A Swiss canton

Answers on page 20

AA ROADWATCH

For the latest AA traffic and roadworks information, 24 hours a day, dial 0836 401 followed by the appropriate code:

London & SE traffic, roadworks

C. London (within N & S Circ.) 731

M-ways/roads M4-M1 732

M-ways/roads M25 733

M-ways/roads M23-M4 735

M25 London Orbital only 736

National traffic and roadworks

National motorways 737

West Country 738

Wales 739

Midlands 740

East Anglia 741

North East England 742

North-east England 743

Scotland 744

Northern Ireland 745

Roadwatch is charged at 5p for 8 seconds (peak and standard) 5p for 12 seconds (off peak).

Concise crossword, page 15

WEATHER

Cloud with some rain will affect most parts of England, Wales and Scotland today. Brighter, shower conditions already affecting Northern Ireland will spread across Wales, western England, and south-west Scotland in the morning. These conditions will not reach eastern England until tonight. Northern Scotland will remain rather cloudy throughout. Temperatures near normal. Outlook: unsettled.

ABROAD

MONDAY: Thunderstorms, 10pm-4am. Sun, 10am-4pm. Cloudy, 4pm-10pm.

TUESDAY: Thunderstorms, 10pm-4am. Sun, 10am-4pm. Cloudy, 4pm-10pm.

WEDNESDAY: Thunderstorms, 10pm-4am. Sun, 10am-4pm. Cloudy, 4pm-10pm.

THURSDAY: Thunderstorms, 10pm-4am. Sun, 10am-4pm. Cloudy, 4pm-10pm.

FRIDAY: Thunderstorms, 10pm-4am. Sun, 10am-4pm. Cloudy, 4pm-10pm.

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SA debate encourages chairman at Anglo

ANGLO American Corporation, South Africa's largest mining house, is raising its final dividend to 240 cents (200 cents) making 325 cents (270 cents) after achieving net attributable profits of R1.51 billion (£38 million), up from R1.25 billion, and equity-acquired profits of R3.13 billion (£2.65 billion) in the year ended March.

Mr Julian Ogilvie Thompson, chairman said the outcome demonstrated Anglo's diversity of interests after a year when gold's contribution to profits eased from 14.8 per cent to 11.9 per cent.

Mr Ogilvie Thompson is not making many forecasts for 1990, but said he was encouraged by the debate about change in South Africa now underway between government, business and African National Congress officials.

Anglo's capital spending programme over the next three years is likely to top R8 billion on various gold, base metal and industrial projects, he added.

The amount spent on prospecting rose by 31.1 per cent last year to R181 million, reflecting increased exploration activity in South Africa and in various overseas countries.

Vibroplant leap

Vibroplant, the plant-hire group, made pre-tax profits of £4 million in the 12 months to March, a rise of 27 per cent, on sales 30 per cent up at £70.2 million. Earnings, 18 per cent up at 20.4p, rose more slowly because of the three-for-20 rights issue last May. The final dividend is 2.38p (1.98p), leaving the total 20 per cent up at 3.6p. The chairman, Mr Jeremy Plidington, said there was little evidence of a slowdown in demand on the scale some had predicted.

Chillington up

Chillington Corporation, the overseas trader and UK engineer, reports pre-tax profits of £4.22 million (£3.91 million) for the year ended December on a turnover of £70.4 million (£64.6 million). A maintained final of 5p makes 8.25p (6p) for the year.

Temps, page 25

THE POUND

US dollar 1.6760 (-0.0070)
 W German mark 2.8416 (-0.0094)
 Exchange Index 88.9 (-0.2)

STOCK MARKET

FT 30 Share 1893.4 (+11.0)
 FT-SE 100 2379.0 (+7.8)
 New York Dow Jones 2905.34 (+4.37)
 Closing Prices ... Page 27

Major indices and major changes Page 28

INTEREST RATES

London: Bank Base: 15%
 3-month Interbank: 15%-15.1%
 3-month eligible bills: 14%*-14.1%
 US: Prime Rate: 10%
 Federal Funds: 8.4%*
 3-month Treasury Bills: 7.65%-8.75%
 30-year bonds: 103%*-103%*

CURRENCIES

London: £1.6760
 New York: \$1.6755
 E: DM 2.8416
 S: DM 1.6755*
 E: SWF 2.1117
 S: SWF 1.6755*
 E: FFB 7.025*
 S: Yen 152.59*
 E: Index 88.9
 SDR ED 780479
 E: SDR 281264

GOLD

London Fixing: AM \$359.75 pm-\$357.05
 close \$356.00-\$356.50 (212.75-
 213.25)
 New York:
 Comex \$356.00-\$356.50*

NORTH SEA OIL

Brent (Jul) \$16.35 bbl (\$16.30)
 London latest trading price

TOURIST RATES

	Bank Buys	Bank Sales
Australia \$	2.31	2.15
Austria Sch	19.50	19.50
Belgium Fr	61.90	61.90
Canada \$	1.93	1.93
Denmark Kr	11.22	10.62
Finland Mark	6.98	6.58
France Fr	9.97	9.37
Germany Dm	2.98	2.68
Hong Kong \$	1.64	1.58
Ireland Pt	1.11	1.04
Italy Lira	2.60	2.50
Japan Yen	12.00	11.50
Malta Lira Gld	3.31	3.13
Norway Kr	11.40	10.70
Portugal Esc	2.60	2.45
South Africa Rd	5.70	5.20
Spain Peseta	162.75	157.75
Sweden Kr	2.65	2.35
Switzerland Fr	2.35	2.05
Turkey Lira	4.50	4.10
USA \$	1.75	1.65
Yugoslavia Dinar	23.75	17.75

Rates for small denomination bank only as rates apply to travellers cheques.
 Retail Price Index: 125.1 (April)

★ ★ ★ ★ ★

C&B deal will create second biggest broker

Willis Faber in £1.1bn merger

By GRAHAM SEARJANT

WILLIS FABER, Britain's second biggest insurance broker, has agreed a friendly £1.1 billion share exchange merger with Corroon & Black, America's fifth largest, to create the world's fourth biggest in terms of revenue.

Mr Roger Elliott, chairman of Willis Faber, said it would have had pre-tax profits of £100 million in 1989, making it second only to Marsh & McLennan, the US-based international group, in profitability.

The planned merger is backed by more than 30 per cent of C&B shares under board or employee control and fulfils both Willis's ambition to have sizeable American earnings and gain a stronger client base as well as C&B's strategy of making its predominantly domestic US business international.

Mr Elliott said: "The merger will give us more clout and more earning power in highly competitive mar-

kets." Miss Jennifer Cartmell,

C&B's treasurer and representative in London, said yesterday: "This is strategically a brilliant move and makes the joint company one of the strongest in the world."

But shares of both dropped sharply in London and New York, on disappointed hopes of takeover bids and reflecting fears of teething troubles in making an equal merger. Willis Faber shares shed 9 per cent of their value, dropping 26p to 26.5p.

Under the bid terms, which offer 7.8 Willis shares for each C&B share, the combined group would be 60 per cent owned by former Willis shareholders and 40 per cent by C&B investors. This split was based on market values but is roughly in line with profits, which were £62.3 million and £37.3 million on a comparable basis last year.

The new Willis Corroon company would be headquartered in London with American Depository Receipts

listed in New York. It would have equal numbers of board members from each side. Mr Elliott would be executive chairman with C&B's Mr Richard Miller chief executive.

The merger was seen as logical but defensive, in the light of low insurance rates and heavy competition among brokers to service clients on an international basis. Mr Chris Fountain of Morgan Stanley, the securities house, said it was "a long-term necessity." He said the share price fall was unfortunate but was a reaction to a recent run in Willis shares which should not be taken as damning the deal.

Mr Elliott said Willis had long been trying to increase its American earnings but Johnson & Higgins, its partner in the US for almost a century, did not want a merger because it wanted to remain a private company. J&H has a 5 per cent stake in Willis, but there were fears Willis might lose much of the business

J&H placed through Willis in London and that this might outweigh the \$300 million placed in London by C&B, most of which is eventually expected to come to Willis.

Mr Elliott said flexibility and control were only available through ownership. "We needed to be there on the ground in the United States." He said there was bound to be a change in the relationship with J&H, but that this should not affect important accounts for multinationals. He J&H's chairman "was naturally upset, but he is a realistic professional."

An earlier British merger with Stewart Wrightson, which was designed to add SW's client base to Willis's strength as a specialist in the wholesale insurance markets, had led to many top level defections. But Mr Elliott said he did not expect such problems to recur, because Willis and C&B were complement-

ary. "This time, we do not have two people for each job. Each team will run its own business with some swapping around. So there will be no fights for jobs. We have an enormous common cause."

In the first quarter of 1990, Willis said profits had risen thanks to good trading and interest on the sales proceeds of its shares in Morgan Grenfell. But B&C profits had fallen 30 per cent to £5.4 million.

Willis will raise its dividend 10 per cent and pay three-quarters of its annual dividend as an interim payment to bring it in line with C&B. After the merger, expected to be completed in September, Willis' group will pay quarterly dividends.

Analysts expect little shareholder opposition to the merger, although South Eastern Asset Management, which specializes in strategic holdings, owns about 7 per cent of C&B.

Securing the future, page 25

JULIAN HERBERT

NFC cuts share of profits for staff

By MARTIN WALLER

THE 25,000 employees of NFC, the former National Freight Consortium which has proved one of the most successful ever management buyouts since its 1982 privatization, saw their share of the group's profits cut for the first time as a result of the economic slowdown.

NFC was forced to trim its own estimate of present year profits by £8 million to £97 million as it reported pre-tax profits at the bottom end of City expectations at £36.4 million, in the 25 weeks to March 24, up from £32.6 million last time.

A third interim dividend of 1.1p is to be paid, making a total of 2.9p so far this year. There is a scrip alternative.

At the operating level, after a downturn at the core transport division, profits were down from £43 million to £41.5 million. Interest payments were cut from £4.7 million to £3.2 million, and the employees' contribution from profits fell from £5.1 million to £1.9 million.

The cut in its forecast, or "best view," comes after the difficult trading in the transport division and increasing property market uncertainty. NFC's success since its privatization, which took in a stock market float last year, has much to do with the loyalty inspired in its workforce by the high percentage of profits it pays its employees under the scheme put in place in 1986 and its wide employee share ownership.

But Mr James Watson, the chairman-designate, said: "At the end of the day, the profit-sharing scheme is linked to profits." Last year, the scheme paid out the 15 per cent maximum possible as pre-tax profits shot ahead by 34 per cent to £90.2 million.

Directors will be hit two ways by the downturn in the company's fortunes — their share of profits would be cut, and, on the basis of NFC's own forecasts for this year, there will be no performance-based bonuses to their salaries.

NFC continues to move towards its aim of seeing 40 per cent of operating profits generated outside this country by 1995. The proportion was 28 per cent at the half-year, and the group announced two further acquisitions, a Spanish transport and distribution company for £5.8 million and a Canadian house removals business for a similar, but undisclosed, amount.

Tamps, page 25

Freeze on £300m of investors' cash in B&C bank

By NEIL BENNETT, BANKING CORRESPONDENT

THE appointment of administrators to British & Commonwealth has frozen more than £300 million of investors' money in its merchant bank.

Administrators were appointed to B&C, its two financing subsidiaries and BCMB on Sunday. With debts of more than £1 billion it is the largest corporate failure in British history. The move was caused by the SIB's order, which would have caused a run on the bank.

The order could hit thousands of savers whose brokers placed money with British & Commonwealth Merchant Bank, particularly clients of Stock Group and Campbell Neil. B&C's private client stockbrokers. It also prevents financial services companies carrying out Friday's orders from the Securities and Investments Board to withdraw their funds from the bank.

Mr Stephen Adamson, another of the administrators, said they were urgently looking into ways to provide B&C's subsidiaries with alternative credit lines to allow them to trade normally.

"There will have to be some fire-fighting in the group." This Stock Beech, one of Britain's

largest personal insurance brokers. Under estimates prepared by Warburg, B&C's adviser, disposal proceeds could be as little as £483 million in administration, compared with group debts of more than £1.3 billion.

The dispute continues between the five banks which decided to withdraw from BCMB's comfort loan facility and the three which wanted to keep B&C out of administration. Midland Bank said it was forced not to renew the arrangement after it became clear the SIB intended to impose the order. The SIB and other bankers insist it was only made when it was clear talks to reinstate the facility had broken down.

Midland also denied its decision was related to B&C's £200 million suit against Samuel Montagu, its merchant banking arm, and its client Quadrax. Mr Peter Phillips from Buchler Phillips has been appointed as an administrator of responsibility for the future of the case.

The administrators have three months to present B&C's creditors with a reconstruction plan.

Mr Adamson said he welcomed offers for parts of the company as part of a planned asset disposal programme.

This is expected to begin today with the announcement of a management buyout at

Stock Beech, one of Britain's

largest personal insurance brokers. Under estimates prepared by Warburg, B&C's adviser, disposal proceeds could be as little as £483 million in administration, compared with group debts of more than £1.3 billion.

Central Statistical Office figures yesterday showed new credit advanced to consumers at a seasonally adjusted £3.70 billion, slightly down on the £3.72 billion of March. In April last year it stood at £3.37 billion.

Bank credit card debt leapt to £39 million from £28 million.

Final retail sales figures showed a seasonally adjusted 1.2 per cent rise in April. The provisional estimate had been only 1 per cent. In March, there was a 1.8 per cent fall. In the latest three months, vol-

ume sales were 1 per cent up on the previous three.

Although the bounce-back in April after the exceptionally low March figure left April retail sales below the February level, City economists saw the figures as disturbing evidence of consumer resilience.

A relatively relaxed time for sterling last month allowed modest replenishment of official gold and foreign currency reserves, up an underlying £65 million (£39 million).

Revised US productivity data showed a first-quarter fall of 2.7 per cent in the non-farm sector — the worst performance for nine years. The Labor Department initially reported a fall of only 1 per cent. Productivity in manufacturing rose by 4.9 per cent, showing a substantial pick-up from 2 per cent last year.

Spending 1.2% up despite high rates

By COLIN NARBROUGH, ECONOMICS CORRESPONDENT

AN UPWARD revision in retail sales figures for April, accompanied by high lending to consumers, yesterday gave fresh support to the view that the British shopper remains surprisingly resilient to high interest rates.

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A relatively relaxed time for

Japan's investment in British industry continues to surge

By DEREK HARRIS, INDUSTRIAL EDITOR

SHARP acceleration of Japanese investment in manufacturing in Britain continued throughout last year and into the first quarter of this year, with approval given on 50 new investment projects.

These schemes are expected to create nearly 11,000 jobs and protect another 6,500.

The surge in Japanese investment, which began in 1987, is disclosed by the annual report of the Invest in Britain Bureau (IBB) which under the wing of the Department of Trade and Industry, promotes Britain abroad as a location for international corporate investment.

Only the US and West Germany outpaced Japan in the rush to invest in Britain over the 15 months, and although there were 67 West German investment decisions in favour of Britain, fewer jobs were involved — just over 5,000 created and about 3,600 safeguarded.

Although there have been suggestions that Japanese companies are under some pressure from their government to widen their geographical base within the European Community, there

is no sign of any weakening of their interest in Britain. Almost 40 per cent of Japanese investment in the EC has come to Britain, with the Netherlands accounting for 20 per cent, Luxembourg 17 per cent, West Germany 9 per cent and France 6 per cent.

The Japanese have increased by 23 per cent the amount of investment in the EC during calendar 1989, against the previous year, while the rise in Britain was 43 per cent.

In calendar 1989, the number of jobs created or safeguarded by incoming investment stood at a record 54,000. The number of investment decisions was slightly lower, but the emergence of a number of big projects pushed up the job totals.

In the 15 months to March, there were 70,000 jobs created or safeguarded by nearly 300 projects. Six Japanese projects alone each created between 1,000 and 3,000 jobs.

The investment surge into Britain has held up despite increasing caution by American companies which have been reassessing their European plans. The rate at which

American businesses have been identified greenfield investments has fallen, although expansion plans by existing American investors have held up well, according to the report.

An element in the slowdown has been changes in the American economy which have worked against the replacement of exports by overseas investment, said the report.

Nevertheless, the US is still the biggest investor in Britain, with positive decisions made on 116 projects during the 15 months to March. These should create nearly 15,000 jobs and safeguard another 8,600. What nobody yet knows is the effect the opening up of Eastern Europe will have on existing investment patterns, especially those of West Germany.

The IBB is taking the line that it will be advantageous to promote Britain as a springboard for expansion in Europe enlarged by the freeing of Eastern European markets.

It said: "After a pause, we expect to see the rate of inward investment projects from the US increase again."

By JOHN BELL, CITY EDITOR

THE International Stock Exchange is on a collision course with the Office of Fair Trading over delays in reporting large share trades.

The ISE, whose chairman is Mr Andrew Hugh Smith, yesterday approved in principle proposed rule changes, one of which would cut the permitted delay in reporting large deals to 90 minutes. At present, they can be reported next morning.

Sir Gordon Borrie, Director General of Fair Trading, has opposed any delay as likely to distort competition between market-makers significantly.

The OFT must, under the Financial Services Act, review the competitive effects of ISE rules as they are changed, and report to the Trade Secretary. Sir Gordon said last month that a 90-minute delay would be an improvement, but unlikely to allay his concern.

The modification of the rule follows the report on market development by the Elwes Committee, which called for "drastic" changes in reporting procedures. The ISE is sticking to the principle of some delay, which it feels is a necessary compromise between liquidity and transparency.

This follows extensive consultations with market practitioners since the outline rule changes were published.

An ISE spokeswoman said that some delay in reporting was deemed essential to let market-makers lay-off large deals and reposition books. "Otherwise, we feel that mar-



Andrew Hugh Smith: Stock Exchange rule changes which will require changes to computer systems, is expected by the end of the year.

ket-makers may not be willing to commit their risk capital to large deals," she said. "There is also a danger that large deals may also be done off market, in which case they may not be reported at all. They would not then be part of the process of price formation."

The rule change has yet to be drafted and confirmed. This is expected to take a few weeks. Full implementation,

Accountants gain from growth in insolvency work

By GRAHAM SEARJANT, FINANCIAL EDITOR

The appointment of Ernst & Young as administrators to British & Commonwealth, the biggest insolvency in British corporate history, will bring more prestige and publicity, judging by the latest results from several leading accountants.

These show that the effects of the credit squeeze have made insolvency and corporate recovery the biggest growth areas in the income of leading firms and that those with relatively big accountancy practices have therefore shown the highest growth in fee income.

The merged Coopers & Lybrand Deloitte, which is Britain's biggest accountant and includes Coopers Cork Gully insolvency practice, increased its combined income by 28 per cent to £531 million in the year to end April.

Even for the leading practitioners, insolvency work accounts for less than a tenth of fee income. But Cork Gully had the expansion with a 41 per cent rise in fee income to £41 million.

KPMG Peat Marwick McLintock, which draws a smaller proportion from insolvency but vies with Grant Thornton for second place in that league, reported a 25 per cent increase in revenue to £395 million in

the year to end March, spurred by a 43 per cent rise to £18.6 million from its corporate recovery department.

Touche Ross, which failed to merge with Deloitte in Britain, despite its international merger with Deloitte Haskins & Sells, increased income by 22 per cent to £170 million in the year to April 15, with insolvency contributing £11.5 million.

BDO Binder Hamlyn raised income 18 per cent to £106 million, with insolvency contributing £3 million.

Income from the basic audit and corporate advice business, as opposed to management consultancy, rose 24 per cent to £245 million at Coopers Deloitte, accounting for 46 per cent of the total. At Peat Marwick, however, it was almost as high at £238 million, up 19 per cent, accounting for 60 per cent of the firm's total income. Audit and accountancy accounted for 54 per cent of Binder Hamlyn's income and 54 per cent of the Touche Ross total.

Tax practices continue to show above-average growth among leading firms. Income from such work grew by 33 per cent to £16 million at Coopers Deloitte and by 30 per cent to £73 million at Peat Marwick.

Telecom sells its first cable franchise to CUC

BRITISH Telecom has sold to a Canadian cable operator for an undisclosed sum the first of its six UK cable television franchises now for sale.

The ownership of Cable Thame Valley, which will connect 200,000 homes to cable television and telephone services in Reading, Newbury, Basingstoke and Bracknell, is being bought by CUC Cablevision, the British subsidiary

of CUC Broadcasting, the Canadian cable company.

CUC, which originally competed with BT for the Thames Valley franchise, owns four other franchises in the UK — Northampton; West Hertfordshire; Stratford and Warwick; and Rugby and Nuneaton. If it wins the Kettering franchise, CUC will cover more than one million of the 14.5 million homes to have cable by 1995.

BUSINESS ROUNDUP

Lombard falls 44% as default rate grows

INCREASED defaulting on hire purchase agreements has contributed to a 44 per cent slump in pre-tax profits to £23.9 million for the half year to end-March at Lombard North Central, the finance house arm of National Westminster Bank. Sir Hugh Cubitt, Lombard's chairman, said that second-half profits were unlikely to match last year's.

Lombard is hit by tighter margins on its £8 billion lending book. Much of its lending is at fixed rates and is squeezed by every rise in the base rate. Lombard is also estimated to have set aside an extra £16 million to cope with the higher level of bad and doubtful debts. Sir Hugh said that these were occurring in both business and personal financing. Lombard's earnings per share in the half fell 44 per cent to 9.8p.

Hardanger profits up

HARDANGER Properties, the Worcester-based retail property developer, has lifted pre-tax profits by 8.5 per cent to £3.1 million on turnover down from £12.7 million to £11.6 million for the six months to end-March. Interim earnings per share are up from 24.95p to 27.07p. The interim dividend remains unchanged at 8.25p.

Butte Mining in the black

BUTTE Mining, seeking gold, silver, zinc and lead in Montana and reporting for the year to end-December that saw commercial production start, made £14,000 net profit, largely due to currency gains and interest received, against a £3,000 loss in its previous reporting period. Further reserves have been proved. The shares traded up at 18p.

Hearts' bid lifts Hibs

SHARES in Edinburgh Hibernian, the loss-making football club listed on the Third Market, rose 14p to 36p after a £6.12 million bid from Heart of Midlothian Football Club, its Edinburgh rival. Hearts has received an irrevocable undertaking from Inoco, the property investor and Hibernian shareholder, to accept the 40p a share cash offer in respect of 29.9 per cent of the shares.

Hearts said it believes the offer, which gives Hibernian shareholders a premium of 95 per cent over last Friday's closing price of 20.4p, is very generous.

Sport, page 44

Leigh raises dividend

LEIGH Interests, the waste management group, is lifting its dividend for the year to end-March from 6.22p to 7.10p with payment of a 4.88p final. Pre-tax profits jumped from £6.03 million to £8.35 million, on a turnover up from £51.6 million to £69 million. Interest soared from £482,000 to £1.76 million, leaving eps at 16.9p against 13.8p.

Channel Express up

CHANNEL Express Group, the flower distribution and freighter aircraft operations group, lifted pre-tax profits by 22 per cent to £1.38 million in the year to end-March. Turnover rose by 34.6 per cent to £18.1 million. Earnings per share rose by 11 per cent to 8.2p. There is a final dividend of 1.6p (1.3p), making 2.6p (1.3p) for the year.

US buy for Blenheim

BLENHEIM Exhibitions Group, now the biggest trade exhibition and conference organizer in Europe, is expanding further into the US with the acquisition of Bruno Group, a leading trade fair organizer for the micro-computer and computer networking industries, for an initial \$3.41 million.

The deferred consideration, payable in shares, is to be between \$30 million and \$50 million depending on Bruno's pre-tax profits for the year to end-December. Bruno is expected to achieve pre-tax profits of at least \$6 million (\$1.5 million) this year.

Engels-Hollandse Beleggings Trust N.V.

(English and Dutch Investment Trust)
Established in Amsterdam
PARTICIPATION CERTIFICATES
(Issued by Royal Exchange Assurance)

NOTICE IS HEREBY GIVEN that the announced dividend of the Trust, which for technical reasons was at first intended as an interim dividend, has to be considered as the total dividend for the year 1990.

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Dramatic advances in technology mean that your organisation may now be in a good position to generate its own electricity.

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Which is why the Combined Heat and Power Association is holding a series of seminars up and down the country with the full support of the Department of Energy.

Decision makers are invited to spend just

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National Power Energy Direct is delighted to be co-sponsor of Power Plus 90 and looks forward to seeing you there.

Reserving your seat now could be one of the most important things you've ever done for your company.

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write to David Green, Power Plus 90, Combined Heat and Power Association, Grosvenor Gardens House, 35-37 Grosvenor Gardens, London SW1.

London 14 June · Newcastle-upon-Tyne 18 June
Birmingham 20 June · Wakefield 26 June
Chester 9 July · Cardiff 10 July · London 11 July

power plus 90

COMBINED HEAT AND POWER SEMINARS

Public and private interaction grows

The NHS is set to spend increasing amounts in the independent health-care sector, writes Patricia Blair. Many companies are looking at ways to expand the co-operation between themselves and the state's acute-care system

The National Health Service now places contracts worth £64 million a year with the independent health-care sector, according to the latest figures from the Department of Health. That amount, for the year 1988/89, is a rise of £12 million on the previous year. That trend will continue — the Government's White Paper, *Working for Patients*, and legislation going through Parliament widen the way for health authorities to buy and sell services to and from each other, and to and from the private health-care industry.

In the acute-care market, now worth more than £1 billion, the amount spent by the NHS is still small. After analysing the 1988 figures, William Laing, a director of the publishers Laing & Buisson and an expert on the private health-care industry, says that only about £18 million was spent by the NHS in the private acute sector.

"The bulk of the contract work is long-term care and mental illness. There are a number of mental illness hospitals in the private sector that are used to a significant extent by NHS authorities," he says. "There are also NHS contracts with, typically, voluntary or religious hospitals, but these are nothing to do with the new trends; some have been running since 1946."

So far, he says, little has been placed with the commercial companies. "The NHS acute market, which is supposed to be opening up under the White Paper, is at present minuscule," he says.

According to a study for the National Association of Health Authorities (NaHa), geographical convenience for patients was one of the main factors in choosing a supplier of health care.

None the less, many independent companies are exploring ways in which co-operation can be expanded, although some are wary of potential political changes and are cautious about being too heavily tied to the public sector in case a future government frowns on such deals.

In some instances, the NHS has used money from the government-funded "waiting-list initiative", designed to cut the lengthy wait for patients in specific specialties; in others, the NHS has contracts over hi-tech equipment.

Alan Dexter, chief executive of the Community Hospitals Group,

says the group is discussing with a number of health authorities the areas in which co-operation would be of mutual benefit. The group already has three NHS contracts in long-term care — for example, under a contract with Enfield Health Authority it manages a 24-bed NHS nursing home — and is now exploring deals in the acute sector.

Like other companies, Community is also seeking, in separate deals, to buy from the NHS services such as pathology.

The NaHa study shows that acute specialists, such as ear, nose and throat, trauma and orthopaedics, account for 60 per cent of NHS trade exported to other organizations; long-stay/terminal

'Some companies are wary about becoming too tied to the public sector in case a future government frowns on such deals'

care 15 per cent; and special services, such as computerized axial tomography scanning, 25 per cent.

There have been unusual innovations, such as the West Wales Dialysis Centre, in Carmarthen, a joint venture established in 1985 by the East Dyfed Health Authority and Community Dialysis Services, a division of the Priory Hospitals Group. The health authority provided the land, the company provided the building, equipment and staff. Set up to serve only NHS patients, it has celebrated its 10,000th dialysis.

Bioplan's unit at King's Lynn, Norfolk — a self-contained 30-bed hospital with major and minor operating theatres — opened at the start of next month on the site of

the Queen Elizabeth Hospital. "We shall be taking over all the private patients previously treated in the Queen Elizabeth. That allows them to clear a ward that they can now use entirely for NHS patients," Mr Herridge says.

He estimates that this year the company will put £3 million into NHS coffers, through guarantees, leasing and buying land and buying services. He believes that Bioplan's approach also helps medical consultants, who thus do not need to leave the NHS hospital site to attend to private patients. Similarly, if unexpected complications arise, they can buy the services of the NHS intensive care unit, or the use of specialized equipment, while seeing a financial return to the NHS.

It is not only in hospitals that co-operation is developing. It is happening with nursing homes.

Takare, a publicly quoted company specializing in nursing



Dialysis triumph: West Wales Dialysis Centre, Carmarthen, has celebrated its 10,000th successful dialysis since 1985

homes, sees itself as an arm of the NHS.

"When we started building our nursing homes, we aimed to be a part of the health service." Mr Pritchard, the company's managing director, says.

He says that by contracting some beds to the NHS — the rest are paid for by individuals — Takare becomes an operating part of the state service, constructing the home and employing its own staff, "but the beds would still be the health service beds".

However, in the past year, Takare has signed agreements in East Anglia, Glasgow, Chester and Ealing, West London, where in each case the health authority is taking 100 per cent of the nursing home beds. "It means, in my opinion, that they are National Health Service nursing homes because they control which patients go in, not us," Mr Pritchard says.

Big three battle for £1bn market

Demand for private surgery is growing, but so is competition in the face of new technology

The market in private acute medicine and surgery is now worth more than £1 billion and is growing. In real terms, that growth is at the rate of 10 per cent a year, says William Laing, director of the publishing company Laing & Buisson and an authority on the industry.

According to the current edition of *Laing's Review of Private Healthcare*, a comprehensive guide to the independent sector, there are 18 companies now operating in the acute medical and surgical field. Nevertheless, the market is still dominated by three companies: Nuffield, which, with 32, has the most beds; and AMI, which has the highest operating revenue.

In the near future, it is in

London that competition in the private sector is likely to be most keen and may pose a short-term problem for private operators. NHS teaching hospitals in the capital are gearing up to win private patients to help finance their public service.

At the same time, according to

Mr Laing, the level of overseas

patients to the capital has dropped markedly since the 1970s and early 1980s. He says this is because the Arab countries, the source of many patients, have established more of their own services. A drop in oil prices has also reduced Arab spending power.

He says Europe will provide few extra patients. "Foreign trade, generally, is an add-on extra. It will never be a really major element of revenue — with the exception of one or two hospitals."

Small operations make up most of the surgery carried out leading Bupa's list are gynaecological complaints, while hernias and varicose veins also feature highly.

However, Dr Alan Bailey, medical director of Bupa Health Service, also points to dental operations, such as impacted wisdom teeth and orthopaedic surgery — hip replacements — as "popular operations".

In Bupa's newer hi-tech hospitals, 5 per cent of the workload is major surgery.

Heart surgery is still on the increase, despite attempts to alter diets and encourage a change of

lifestyle to prevent heart disease, an area of prevention in which most health-care companies are now involved.

Four of Bupa's 26 hospitals are equipped for heart surgery. "The statistics for the country as a whole show that the number of coronary bypass grafts is still going up, although the rate of increase has slowed," Dr Bailey says.

Changing medical practices and technical advances have also had wide implications for the private sector. Many independent companies point to the trend towards more day-case surgery, reducing the need for an overnight bed.

"There is definitely a significant growth in outpatient workload and in day-case surgery," Alan Dexter, chairman of the Independent Health Association and chief executive of Community Hospitals Group, says.

At Bupa, it is a similar story. "In 1985, we were doing less than 20 per cent day-case surgery, this year we expect to do more than 40 per cent. In other words, it has doubled in five years. This is reflected in the average length of stay which over the same period has dropped by 20 per cent," Dr Bailey says.

Oliver Rowell, Nuffield's general manager, points to the trend at the company's hospitals in the past 10 years: 13.4 per cent day surgery in 1980, 22 per cent in 1989. "By the end of this year, day surgery could account for a quarter of the work."

At AMI, where day surgery is "10 per cent and growing", Dr Marvin Goldberg, chairman of AMI Health Care, says: "In the US it is as much as 30 per cent."

Dr Bailey says the trend is towards less invasive surgery through the use of such instruments as endoscopes. "I believe large-scale surgery is nearing the end of its life and that we are going to do things through telescopes."

The next year or two, as the scale and level of competition from private practice within the NHS becomes apparent, will provoke flurries in the independent sector. However, there is a widespread belief that when things have settled down, more people will learn about and be drawn to private care.

PATRICIA BLAIR

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July 1990

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Hands that gently heal

**Physiotherapy is
gaining ground
as a treatment
for a wide range of
ailments, writes
Audrey Maxwell**

Holidays should be fun, but all too often they can result in problems. Backs, necks, knees, shoulders and ankles come in for what can be punishing treatment. Spare a thought for these vital parts of your body when you are packing your cases, sitting in one position in aircraft, trains and cars for considerable periods of time, rushing to get all your swimming and tennis into a fortnight with memories to last all the year.

But staying at home is not without its hazards — the new mother bending constantly to pick up her baby, father launching into even more adventurous games with growing children, the rush to get the garden into shape while the sun shines, the terrace paved over the weekend or the curtains cleaned all in one day — all bringing extra force into play on muscles and joints.

With more than 2.2 million people suffering from back pain, more than 8 million with rheumatic complaints, and with the growing demands on the National Health Service, more people are turning to physiotherapists in private practices for help.

You may consult a private physiotherapist directly without a doctor's referral, but most health insurance schemes will require a doctor's referral to a fully qualified state-registered physiotherapist.

Offers of great benefits to be derived from taking out private health insurance pour through the letter box daily. Not only new health insurers, but also established health care companies are offering subscribers new health programmes. Most insurance



The benefits of water exercise have long been known

covers some physiotherapy, provided it is given by a registered practitioner. People deciding to enter a new scheme should read the small print clauses to ensure that their needs will be met.

Physiotherapy can help relieve pain in conditions ranging from slipped discs to lumbago and can help recovery following dislocations or fractures.

Treatment for children generally results from sports injuries, chest complaints such as asthma, road accidents or cystic fibrosis and cerebral palsy.

Treatment of the nervous system is an important part of physiotherapy. While there is often no cure for conditions such as Parkinson's disease, multiple sclerosis and stroke, they can be alleviated by regular exercise with progressive check-ups.

Hydrotherapy — exercising in water — has long been recognized as being beneficial

The advantages of private physiotherapy are speed of

individual treatment, availability of treatment near a patient's home or place of work and domiciliary visits. In an emergency, a private physiotherapist is available according to a patient's needs.

Cost of treatment will vary according to the area, but a guide is the minimum recommended by the Organization of Chartered Physiotherapists in Private Practice (OCPGP) of £16 for a treatment visit in a practice and £25 for a visit at home.

A spokesman for the organization, Jacqueline Morris, says: "People are becoming more health conscious and more informed. They are more interested in the cause of their problem and what type of treatment can be given. A chartered physiotherapist will not only treat the condition, but will also investigate how it started and teach the patient how to prevent a recurrence."

Registered practitioners treat injury and disease without the use of drugs unless the medication is prescribed by a doctor.

"It appears that some patients are looking to physiotherapists as a first point of contact," Ms Baum says. "They wish to avoid the passive use of pain-killers for the more positive action of manipulation, mobilization, massage and exercises or with the aid of electronic and electrical apparatus designed to relieve pain and promote healing."

Names of registered physiotherapists can be obtained from your doctor, the yellow pages of directories or your local library should have a directory of members published by the Organization of Chartered Physiotherapists in Private Practice. It is important that you contact a state-registered practitioner with the initials SRP/MCSP following their name.

• The Organization of Chartered Physiotherapists in Private Practice, 6554, London Road, Westcliff-on-Sea, Essex SS0 0SZ (0702 77462); the Chartered Society of Physiotherapy, 14 Bedford Row, London WC1R 4ED (071-242 1941); Aquarobics Ltd, 356 Dover House Road, Roehampton, London SW13 5BL (081-788 2471).

Dentists stage a quiet revolution

**Practitioners are now choosing
whether to accept new government
contracts or go into private practice**

Most of Britain's 25,000 dentists offer private treatment to those who want it, but there are thought to be few who work exclusively outside the state-supported General Dental Service. However, a quiet revolution appears to be taking place in dental care, fuelled in part by practitioners' unease over a Government-proposed new contract for NHS dentistry (Patricia Blair writes). Dentists are being balloted on whether to accept it.

Meanwhile, more practitioners are interested in expanding their work towards independently funded treatment, either directly from the patient or indirectly through an insurance-based scheme. Nevertheless, says Lawrence Lando, chairman of the private practitioners' group of the British Dental Association (BDA), that is not necessarily the signal for a large-scale opting out of NHS dentistry, although some general dental practitioners claim that is what may soon happen.

Most of the big insurers do not offer cover for routine dental treatment, but many pay for treatment involving hospital care. One exception is Western Provident Association. Its Oak plan, the most expensive of its packages, includes a payment of up to £10 a year for a dental check.

There is, however, one scheme that has the backing of the BDA, the professional association to which most of Britain's dentists belong. Dentplan, the brainchild of a dentist, Stephen Noar, offers

an independent scheme similar to the state system, although no payments are made at the point of service.

Dentplan patients register with a practice and pay a monthly sum, set by the dentist, ranging from about £6, for dental practices in less expensive geographical areas, to £20-£25 for some central London practices. The national average is £8 a month for an adult, £4.50 for a child.

The incentive is for the dentist to keep the patient's mouth healthy. This gives a better financial return. For dentists, the main difference between that and the new state scheme is that the latter offers no geographical variation in

the payment received by the dentist.

To join Dentplan, patients should be dentally fit on registering, be prepared to attend dental checks as often as the dentist believes necessary — on average twice a year — and keep up the payments. Families, depending on their size, may be entitled to a discount.

Personal subscriptions are calculated under a formula taking into account the number of fillings and dental work already in the patient's mouth. Later, improved oral hygiene and healthier gums can reduce the subscription cost.

In return, the scheme offers payment of all treatment by a



NHS contract: dentists balloted on their decision

registered practitioner, large discounts on any laboratory work, such as making crowns, bridges or dentures, an insurance scheme covering accident and emergencies, and emergency cover if the patient is away from home inside Britain. A 24-hour helpline also operates.

Dentplan already has 70,000 patients and 2,300 dentists registered. "Patients are joining at the rate of about 1,000 a week," Mr Noar, Dentplan's chief executive, says.

However, Mr Lando is not convinced that an independently funded system akin to the state system is the way forward. Private dentistry is not synonymous with expensive dentistry, he says, and by paying directly for treatment, patients needing only one or two fillings a year could end up paying little more than they would now under the NHS.

Both Dentplan and the BDA private practitioner's group have seen a rise in the number of dentists expressing interest in independence.

An average of about 60 dentists a month are joining Dentplan, Mr Noar says.

"What has accelerated is dentists converting totally away from the NHS. They just do not want any part of the new contract," he says.

Mr Lando says the new contract has made dentists realize they have a choice in how they conduct their business. "Whether dentists agree with the new contract or not, it is one of the best things it has done," he says.

Another European company with interests in British health care is the French medical group, Générale Compagnie des Eaux, which owns up to 90 per cent of AMI-Healthcare, a specialist hospital and health-screening company.

The private medical insurance sector still has a long way to go. Only about six million people from a population of more than 55 million are insured for the costs of private treatment for acute medical conditions. Company schemes make up almost two-thirds of the total.

One new company determined to make its mark in health insurance is Europa-IMG, a specialist broker owned by Mark McCormack, an American tycoon. The company recently launched a health-care policy underwritten by MGI Prime Health, which is tailored for executives who often travel abroad. Unlike Bupa and PPP-type schemes, it includes maternity and dental cover, and covers most specialist fees as well.

Christopher Farley-West, Europa's managing director, said the traditional insurers had little to offer top executives looking for a full medical package. "Insurers such as Bupa and PPP pay for the surgery and little else," he adds. "We are offering a full package to sportsmen and other high-earners. Our premiums are high, but this is our way of going for a slice of the cake."

PRIVATE medical insurance has become one of the most popular perks available in Britain. For employees and their families, it brings peace of mind in the knowledge that an illness or operation will not leave equally crippling bills.

The British health-care market has been dominated by a handful of companies for so long that prospects for any newcomers seem slim.

The British United Provident Association — Bupa — dominates private medical care. The company's market share in 1988, the last year for which full statistics are available, was 54 per cent, well ahead of its nearest rival, Private Patients Plan (PPP), which had 27 per cent. Western Provident Association (WPA) had 7 per cent, although this has risen to about 10 per cent, leaving companies such as Crusader-CIGNA, Sun Alliance and MGI-Prime Health to make up the difference.

What is surprising about the figures is the way Bupa's lead has slipped in the past few years. At one point, it was said to account for as much as 90 per cent of private medical sales. Some aggressive lobbying from companies such as PPP and WPA has chipped away at Bupa's lead. Long waiting periods and bare surroundings have driven people away from the National Health Service into the arms of private health-care.

American and European insurance giants have been quick to note the potential of the British market. The key

to success for such new companies lies in clever variations on the health-care theme. Tailoring packages to the needs of executives or celebrities is one way into the market. Dreaming up new schemes which throw together elements of the old at a lower price is another, although, with medical insurance inflation running at 20 per cent, this is difficult.

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In Britain, the number of people aged over 65 will rise by a million in the next 15 years

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Britain's changing population is drawing attention to an area of health care that has been largely handled by private and voluntary organizations - the care of old people. In the next 15 years, the number of people aged over 65 will rise by almost a million and the number of those over 85 will rise from about 750,000 to 1.3 million. A sizeable number will need looking after to the levels provided in nursing and residential homes.

Corporations have moved into a market which until recently was dominated by groups operating only one or two homes. According to *Laing's Review of Private Healthcare*, in June last year there were 115 major private providers operating 606 homes in Britain - and more homes have opened since then. Twenty companies are listed on the UK Stock Exchange, four of which specialize in care homes.

Between them, these companies have claimed 10 per cent of the market, but they have devoted most attention to nursing homes.

The largest of the specialist corporate providers is Takare, which started 10 years ago. Dev Pritchard, the company's managing director, says that Takare's main market is those who are not well off, but who need constant nursing care - whether through physical or mental frailty - and whose only other alternative might be a multi-bedded geriatric ward in an NHS hospital.

In 1987, the company opened its first purpose-built 120-bed home. Built in blocks of four 30-bed units, the home offered residents single-room, ground-floor accommodation. It was constructed to a plan - a blueprint for all its homes - worked out in conjunction with a team that included a doctor, nurse and social worker.

Takare now has more than 1,000 beds. This figure is expected to increase to 3,000 by next year. Mr

STRESS at work is costing British companies millions of pounds in lost working hours. Stress causes ulcers and nervous breakdowns, encourages alcoholism and drug abuse and can lead to death. So it is not surprising that company bosses are now bringing in specialists to tackle the problem.

This is where Britain's health insurers step in - well, some of them, at least. It is one thing to sell a policy that protects against the risk of a short-term illness - an isolated nervous breakdown or perhaps an ulcer, but no insurer is prepared to saddle itself with long-term conditions that could cost thousands of pounds in bills.

Bupa is the only private health insurer to provide protection against a stress-related illness as a matter of course. But even Bupa draws the line at conditions that could drag on. Bupa will pay the cost of treatment for one-off conditions that may result from alcohol or drug abuse, or a physical or mental breakdown caused by stress. The company will pay for psychiatric treatment for up to 180 days a year and has similar cut-offs for other conditions.

Mike Smith, Bupa's managing director, says no other insurer provides the same level of cover. He says Bupa is advising more and more companies on how to cope with stress. "This field has an important and growing role, but will always remain small compared with more traditional forms of health insurance."

When age is no handicap

An ageing population and changes in legislation pose fresh challenges for Britain's corporate health-care organizations, Patricia Blair reports

Pritchard says: "I started out with three criteria: I had to have a quality of care acceptable to doctors and nurses; I had to pay nursing staff a rate that could draw such staff; and I had to give a return to the investor that would encourage investment in Takare."

Today, each home has a mix of private and publicly funded patients and is headed by a matron with nursing sisters in charge of each block. Catering, laundry, cleaning and maintenance are provided on site, and a doctor, hairdresser and chiropodist are available. Charges to individuals average £260 a week.

Mr Pritchard says many private and voluntary organizations have already carried the losses that arise from the gap between what the Government will provide and what caring costs.

"Everybody who walks through a Takare door can stay if they need us. If they have more than £3,000, we pay our private rate; if they have less, we accept whatever the Department of Social Security gives us."

In the past four years, the private sector has developed "close-care units", owner-occupied properties on the same site as a nursing home and its attendant facilities. Residents buy in,

usually through a weekly or monthly service charge, the regular services they need, whether it is constant nursing care, physiotherapy or help with bathing and dressing.

Alan Dexter, the chief executive of Community Hospitals Group, which is developing a site that will contain a hospital, nursing home and close care units, says: "Several organizations, including insurance companies, are putting together a package that offers security."

The market leader is PPP Beaufort, which provides close-care units under leasehold. The company's weekly service charge, ranging from about £75 to £350, reflects the levels of care needed. "Residents can buy a basic package, which looks after the security and the outside insurance, gardening and so on, through to a full nursing-care package, where we have nursing almost on a one-to-one basis," Geoffrey Benn, the company's managing director, says.

"PPP's charter has been for people to lead as full and independent lives as they could," Mr Benn says. "Close care is an interesting development in helping them do that and seemed to be a natural development of the group's purposes."

If a resident runs out of money or wishes to move elsewhere, there are a number of options. PPP Beaufort, for example, guarantees to buy back the leasehold "either at the price they paid for it, or at the current market value less 10 per cent, whichever is the greater".

At Redhill, in Surrey, a close-care unit with 35 places was opened in May last year by Nuffield Health Care, a subsidiary of the charitable organization, Nuffield Hospitals. It is now about to start two more, in Taunton, Devon, and near Ascot, in Berkshire.

Buying the property cost residents between £85,000 and £105,000. Service charges are about £990-£1,030 a year, or £82,50-£85,33 a month. Like most companies operating in this area, Nuffield's charges cover all external maintenance of building and grounds, as well as emergency alarms and call-out cover.

There are several sources to help potential residents choose a nursing home; the Independent Health Association has a "Red Book" directory. The Registered Nursing Home Association, which runs its own inspectate, also publishes a list of members, while independent publishers Laing & Buisson also publishes nursing home information. Health and local authorities carry lists of the nursing and residential homes they register.

Under the NHS and community care legislation now going through Parliament, and due to come into effect in April 1991, responsibility for people being looked after "in the community" will pass to local authorities. Nursing homes say they do not know how the system will operate, and who will pick up the bill for those without the means to pay for themselves.

One concern is that independent nursing homes may not continue to be as tolerant - and not all operators are now - of those with little in the way of savings.

abuse," WPA's marketing director, David Ashdown, says.

Specialist medical providers such as AMI-Healthcare, Nuffield and HCA carry out comprehensive medical checks for companies, including checks on conditions caused by stress.

AMI-Healthcare's Michael Green says demand for health screening from companies is expected to soar in the next five years. His company already provides services for Marks & Spencer, the Post Office and others.

"In the US, all employers provide health screening as a matter of course," he says. "It is a young market in the UK, but could decrease absenteeism and spare companies the huge cost of replacing top staff who fall ill or even die."

JON ASHWORTH

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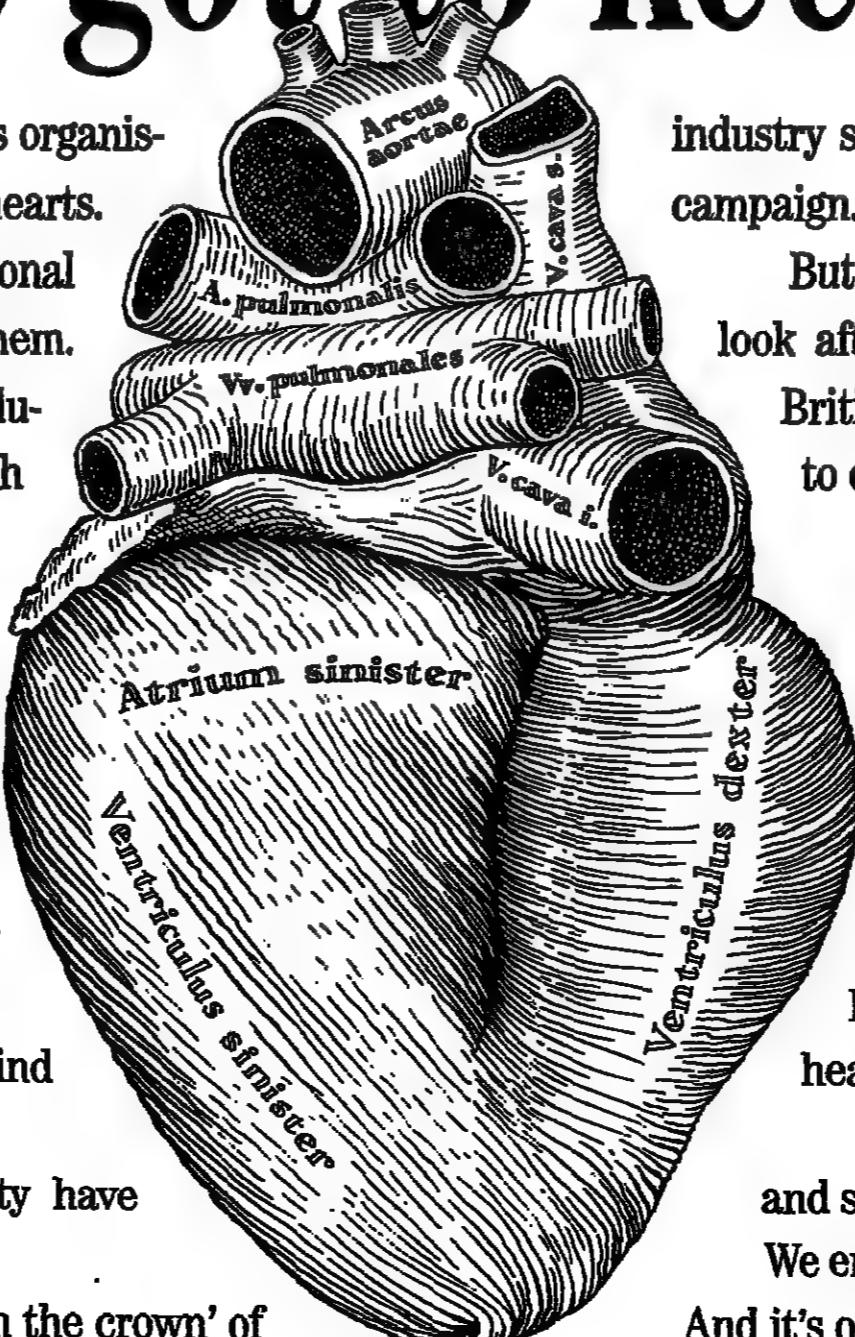
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1st June 1990

HORIZONS

Fact-finders of the screen

The changing structure of television has caused some uncertainty in a business where 40 per cent of employees are freelance, a figure that is projected to rise to 60 per cent by 1992. The leading organizations in television film and video, which wanted an overview, commissioned the study "Skill Search" (Institute of Manpower Studies, February 1990). The result provides data on present training and employment practices and future trends.

Training and career development seem haphazard for certain jobs — that of researcher is one. The suitability for the job continues to be based on individual initiative.

Although most television researchers are graduates, often with postgraduate related experience in the media, the work is much wider ranging and not comparable to academic research. Among the growing number of media studies courses those taught by practitioners have most credibility in the television industry.

The Royal Television Society has compiled a course-finder database with details of 750 academic and non-academic courses. Naturally, a specialist background is essential for certain types of research and some researchers become known for expertise in their field.

The biggest demand for researchers is on news programmes and for documentaries based on current affairs often connected to events of international significance.

Entertainment programmes

Television research is a job that does not rely on formal training. **Bernardine Coverley** examines the qualities that can bring success in this ever-changing and demanding field

such as game shows and chat shows also depend on researchers — the Jonathan Ross show uses four — and, although the products differ considerably, some skills crossover, particularly interpersonal skills.

The researcher must interpret the director's ideas by providing the appropriate material. This can include information, extracts from film, stills and, crucially, suitable people to take part in the programme. The researcher is usually the first point of contact for participants. A good researcher will be adaptable, enthusiastic, self-motivated and able to offer ideas and work in a team. He or she will know where to track down obscure material and recognize what could be valuable or illuminating. Written briefs must be concise and easy to interpret. Many productions necessitate extra hours and travel.

Old mystiques, traditional connections and hierarchies have been challenged by the spread of new markets and different products. The growth of the independent sector and of cable, satellite and corporate television brings new opportunities and, although BBC experience is still highly rated, there is now a variety of entry points into the industry.

local paper is an obvious asset. Other experience can be gained in academic research, which can show a specific knowledge such as archaeology or environmental science; languages; and any practical experience of production methods. The latter is particularly important. The primary requisites, however, are a genuine interest in television and a sense of what makes good, imaginative and successful programmes.

Agencies will target appropriate producers on behalf of researchers, and full-time posts and longer contracts are advertised. But the nature of the work means that the most effective point is often personal contact.

As a freelance contract may be four weeks or four months the researcher is always canvassing for work. Only the big independent companies have constant work, so the researcher has to be aware of new possibilities and take the initiative to suggest programme ideas to prospective employers.

The British Film Institute's annual *Film and Television Handbook* offers articles on present concerns, such as satellite broadcasting and Europe, information on archives and libraries, and a list of production companies.

There may be changes in employment patterns in television, including the obvious change from the tradition of employing predominantly white males. It is, however, unlikely that the level of competition needed to succeed in television research will drop in the near future.

Research is the foundation level of a programme, but without recognizable training how do prospective researchers prove their worth? Experience of reporting for a student magazine or a

• *Granada Studios Tour, Water Street, Manchester; Occupations 50, published by Careers and Occupational Information Centre Working in TV and Video, £1.95. COIC Film and Television Handbook, British Film Institute Course-finder, search fee £5. Royal Television Society Course-finder, address 23 Royal Television Society, Block A, Tavistock House, Tavistock Square, London WC1.*



Selling your skills: Grant Keir says researchers need confidence to promote their ideas to producers

GRANT KEIR, aged 30, has worked as a researcher for four years. Originally he gave himself five years to create a career in television. "It is a long slog," he says. "People think it is glamorous but if you are not prepared to put in the time and patience, you will not get anywhere."

At university Mr Keir developed a strong interest in politics and international issues and later took off to see for himself how the rest of the world worked. His involvement in publicity for campaign groups led to organizing a media conference on Namibia. This first paid professional work determined his direction.

Television covers an exhaustive range of subjects and commissioning editors are always seeking new, ideas-led programmes, which

Ireland to Africa in a day's work

means "someone somewhere needs your skills and knowledge". Mr Keir says: "The question is whether you can find them."

His first step was to evaluate what he had to offer and then present it with confidence. He sent out a letter with curriculum vitae to inform dozens of producers of his specialist understanding of southern Africa and Latin America, including their politics and culture, and his knowledge of Spanish and Portuguese.

In the letter, he said: "If you are making a programme about this, then hire me." One producer was and gave him his first contract.

Mr Keir's range of work has included Channel 4 documentaries, a film on Paul McCartney and five months in Northern Ireland producing a game show.

"You have to be prepared to be a dogsboddy on some productions while on others the director will enter into a dialogue about what is needed," he says.

Mr Keir is researching a news programme and acting as a consultant to a local authority on a media-training project, as well as making plans to co-produce programmes on Brazil and Mexico.

"There is never a guarantee of continuous work but it is dynamic and satisfying," he says.

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Closing date for applications: 29 June 1990.

LEGAL APPOINTMENTS

Continued on next page

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Continued from page 29

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THE LAW

Outside the City walls

City firms may be expanding in the regions rather than overseas, Edward Fennell writes

At a time when most big firms were focusing their thoughts overseas, there seemed to be something almost perverse in the way that Norton Rose in the City announced recently that it was linking up with the MS grouping of regional solicitors.

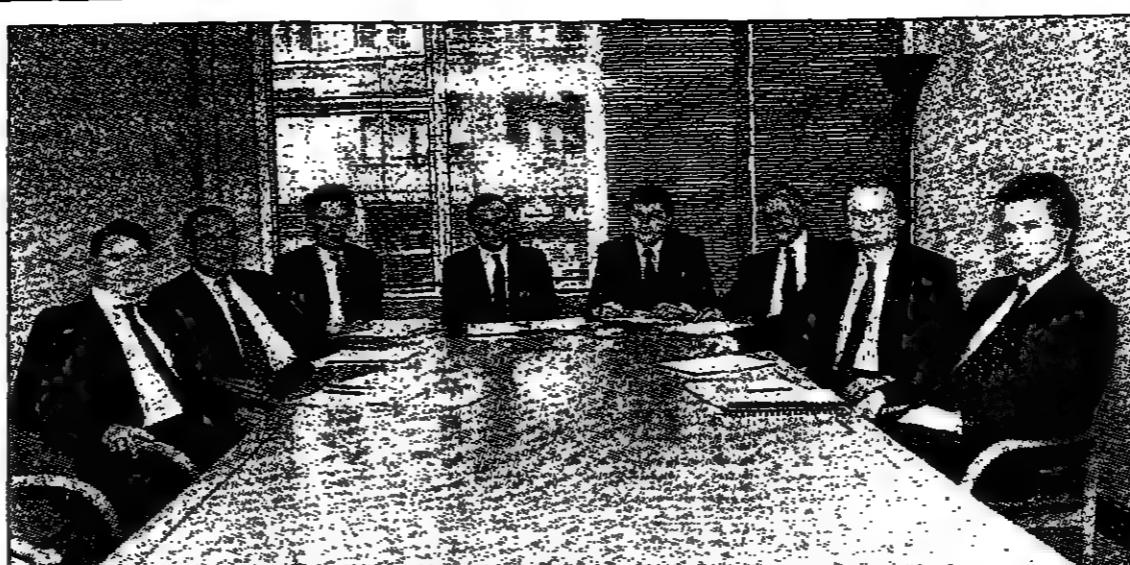
All the big London firms, of which Norton Rose was undoubtedly one, were expected to follow the international route. Smaller City firms, such as Turner Kenneth Brown and Theodore Goddard, might experiment with regional or suburban offices, but these adventures have always been regarded as beneath the dignity of London's leading lights.

The Norton Rose-MS initiative has thrown that scenario into disarray. Consequently, it has been greeted with as much scorn as puzzlement by many City lawyers. Only last week, for example, one of the most senior partners at Slaughter & May was asking, sceptically, just what Norton Rose hoped to get out of it.

Notwithstanding the doubts, however, there is a boldness of vision behind the plan that merits investigation. Indeed, Norton Rose's managing partner, Tony Kay, is so confident of its success that he asserts that the other big London firms have made a mistake in ignoring the regions.

The underlying rationale to the move, Mr Kay explains, is that law firms should follow the model of the big accountancy groups. In the case of Price Waterhouse, Arthur Andersen and the other large accounting groups, a powerful metropolitan base is complemented by widespread representation in the regions. Growth has stemmed from being able to respond to clients both nationally and regionally.

In the law, by contrast, the idea has always been that the big client and the big work will always come to London. Mr Kay, however, perceives a change in these attitudes. He believes the time has come when many regional clients would prefer to deal with a local lawyer who is able to provide a high-



Trendsetters: the board of Norton Rose which is linking up with the MS grouping of regional solicitors

grade service, which includes, when necessary, access to specialist London expertise. Equally, the large national and international clients would prefer to work with a City firm which is capable of servicing local needs.

Mr Kay believes that Norton Rose-MS, through its strength in both departments, can "win" in the same way as the accountants.

That such an idea is now taken seriously by a leading firm is thanks to a substantial rise in standards among regional legal outfits. Solicitors may work in Manchester or Birmingham, but that no longer means they are second-rate. By no means does London continue to have a monopoly of excellence.

The weak point in Mr Kay's argument, of course, is that accountants and lawyers are not exactly

alike — the accountants positively need a local network because of the demands of the annual audit. However, when challenged on this, Mr Kay points out that the real profits are made these days by the management consultancy wings of the accountancy firms and that legal services should increasingly be delivered in a similar way.

In short, legal services are becoming progressively like management consultancy and can, therefore, gain by being available through local and metropolitan offices.

MS's motive for the move was obvious. London was a glaring gap in its national network. The firm wanted to plug this gap with a practice of senior status, and the only route to this was to win over a

leading name. The firm has done this by bringing in Norton Rose.

My guess, however, is that the present Norton Rose-MS group is just the start of a much bigger story that is not so much concerned with the 1990s — let alone 1992 — but about the 2000s. And it is also about Europe.

Already a Brussels office has been opened on behalf of the group as a whole and there is excited talk about further link-ups with similar groupings abroad. In that respect too, therefore, the history of the big accountancy firms provides a valuable precedent.

Whatever the success of the venture, however, Norton Rose-MS must be an enterprise worth watching. The union is an important experiment in the development of British legal services.

INNS AND OUTS

The Public Policy Unit has launched a group to provide legislative and regulatory support services for lawyers and their clients. The service includes monitoring and analysing legislative and policy planning, advising on representations to political and regulatory authorities and producing commissioned or independent policy and economic research to reinforce cases made to legislatures, departments or regulatory authorities. The unit's brochure says: "Our job is to understand our client's business as well as they do; our skill is the QC's art of mastering the brief." This claim may raise the eyebrows of experienced juniors, weary of the labours of bringing their learned leader up to speed in time for the opening submissions. The unit says the service is cheaper than both QCs and law firms, with a senior adviser charging less than £200 per hour and an average rate of £90-£100 per hour. The unit also offers to train lawyers in the finer art of political lobbying. "Not all lawyers want to be lobbyists, but anticipate that they will take more of a position in the area," Nicholas True, from the unit, says. While lobbying has had recent criticisms in the Press, the unit dissociates itself from the practices of others in the field. "We do not make payments to MPs — it is sober, disciplined, paper-based hard work rather than glamour and long lunches."

George Rockman, the South African policeman who was dismissed for speaking out against police brutality, was in London recently. He addressed a group of British lawyers about his experiences as a police officer in South Africa and about the Police and Prison Officer Civil Rights Union (Popcr) which he and a South African prison officer set up last November. Mr Rockman is classified as "coloured" under South African racial classification laws and was, until his dismissal, one of 55,000 black officers in an 80,000-strong force. The new organization, which has more than 5,000 members, is trying to discourage collaboration by black police and prison officers with the apartheid regime. It also plans to mount a campaign of legal challenges to the South African government, particularly by backing civil actions against police officers who commit acts of brutality, although under the still-applicable emergency regulations police officers have complete indemnity against legal action. The organization is also trying to persuade prison officers to stop accepting children into the jails.

EC a peg on which to hang domestic reform

Philip Mitchell looks at changes arising from the new Companies Act

returns made to companies all form a part of the Government's deregulation programme. So, too, are the last-minute streamlining procedures for private companies and the so-called "elective regime".

These measures were foreshadowed in successive White Papers, the latest being *Releasing Enterprise* (November 1988). Sometimes the widening of options for shareholders leads to greater complexity in the legislation, but the Government's avowed concern (and perennial excuse) has been with the user of the legislation, not with drafting elegance. The Act comes into force progressively through this year and next.

The controversial practice of off-balance-sheet financing has been another target of the Act. Under pressure from the accounting profession, the Government has introduced "subsidiary undertakings", which applies to the preparation of group accounts and is designed to curb this development.

The new definition represents a shift of emphasis from ownership to control and also extends to unincorporated associations and partnerships. The requirement to consolidate (and bring on to the parents' balance sheet all of the subsidiary's assets and liabilities) will now apply to many undertakings not previously treated as subsidiaries.

The Act also removes the obligation on many small- and medium-sized groups to prepare consolidated accounts and includes a provision enabling Stock Exchange companies who do not wish to receive full accounts to send financial statements.

Life in the company secretary's office is also due to become easier. When a charge is created over a company's property, failure to register it within 24 days is no longer a terminal event. Instead, the priority of the lender is deferred until the charge particulars are delivered.

PRIVATE companies can now transact their business by written resolution instead of convening artificial meetings, where shareholder representatives raise their hands like puppets for companies which are wholly owned within a group. This will save much time, although for companies with substantial membership, the requirement that all must sign the resolution will be impractical.

The new "elective resolution" allows a unanimous vote of mem-

bbers to opt out of a number of internal procedures, for example, annual general meetings. The list will be extended by statutory instrument. Then there is a new provision to allow companies to execute documents as if they were under seal, merely by signature. This will save lugging around to meetings the usual paperwork.

For listed public companies with higher profiles, there are changes which strengthen the law. There is a new formal procedure for voluntary, free notification of mergers, with automatic clearance in four weeks in most cases. Shareholdings which might build into a bid situation will be easier to flush out: the threshold for disclosure of interest in shares is reduced from 5 per cent to 3 per cent and the deadline for notification from five to two days.

● The author is a partner in the firm Lawrence Graham.

Liberty, formerly the National Council for Civil Liberties, is planning to launch an Equal Value Campaign to tackle the gap between men's and women's earnings. Despite legislation, this gap is proving difficult to close. Equal pay for equal value has been recognized since the Equal Pay Act was amended in 1984, in line with European law. But according to Liberty, the figure for women's gross weekly average earnings is still only 76 per cent of that of men, which is only 1 per cent better than it was when the Equal Pay Act was first introduced in 1975. The campaign aims to publicize the few cases where equal value claims have been successful and to monitor decisions on equal value coming from the European Court of Justice in order to exploit them fully in the British context. This will not be good news for companies such as Lloyds Bank, which has appealed a recent industrial tribunal decision which held that the work of female typists is equal in value to that of male messengers — the knock-on effect of the claim could, if it succeeds on appeal, cost Lloyds Bank more than £6 million.

The McGrigor Donald sculpture prize 1990 has been awarded to Andrew Burton for his work entitled "Industrial Elephant", represented by a large Indian elephant with a chimney and smoke protruding from the head. The prize, worth £5,000, is in its second year and attracted entries from all over the world, including Venezuela, Canada and the United States. Anyone wishing to see the winning work can do so at McGrigor Donald's offices in Glasgow, as the firm now owns the piece.

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This is only a part of the story, however. To render more comprehensive the breadth and depth of the skills and services we offer our clients, we intend to develop a new group to provide specialised tax services externally, thereby generating its own client base.

We therefore wish to appoint a senior taxation specialist with at least four years experience (whether a lawyer, accountant or from another appropriate environment), with a "pro-active" approach. We emphasize this last aspect because this new group must be developed from a standing start, or have the other four groups. The role will require not only the assumption of responsibility for and co-ordination of the provision of tax advice in relation to our existing commercial activities, but also the display of the requisite calibre and management skills to develop a tax practice as part of the steady growth of our firm.

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THE LAW

Tallying the profit in a loss

Few in England would seek to defend the worst excesses of jury awards for personal injury in the United States where huge figures are freely dispensed by jurors only too ready to identify themselves with the victim.

American jurors last year awarded a single victim \$76 million (£47 million) for health problems caused by asbestos exposure, an 11-year-old quadriplegic \$30 million and to someone who lost both legs \$56 million. Even allowing for contingency fees for the lawyers of perhaps 30 to 40 per cent, the victim in each case was left with a sum which in England would be a dream.

Perpetuating self-interest is not the sole American jury motivation for these large awards. In the course of a claim for injury arising from vehicle design, documents revealed that the manufacturers had weighed up the cost of curing a design accident against paying out claims which might otherwise arise. The jury, very properly, were angered that the victim had been needlessly injured by this policy and the multi-million-dollar award was designed to punish the manufacturer as well as to compensate the plaintiff.

In England, punitive awards for injury compensation are not made. Neither do we use juries to assess damages, although an appeal is pending on an application by a plaintiff arising from the King's Cross Underground disaster for leave to have a claim for exemplary damages assessed by a jury.

Awards in England are held in check

Damages awards in the UK are hopelessly out

of date, leaving us fair game for the unscrupulous.

Douglas Stewart argues for fundamental changes

by the common sense of our judges and by the history of precedent. Damages are designed to restore the victim to his/her pre-accident situation so far as money can do so, and this fictional charade has led to an informal tariff which enables experienced lawyers to give advice as to the likely value of a claim for the loss of an eye or for spinal injuries.

However, the tariff is by no means a cure-all. A teenager put in a wheelchair for life may get an award of about £30,000 for pain and suffering and loss of amenity. Only if there are claims for nursing care and substantial loss of earnings would the damages rise to about £1 million.

Many victims regard our scale of damages as inadequate and, in some cases, as downright insulting. Highly publicized, huge mid-Atlantic settlements in claims with an American element have led many victims without that element to feel cheated of proper compensation.

The award of only £3,500 to parents for the death of a child is long out of date and does not meet the expectations of society. Both the Law Society and the Bar Council have pressed for an increase

to £10,000, a figure suggested in a consultation paper issued by the Lord Chancellor's Department. That type of payment has been made on an *ex gratia* basis following the Herald of Free Enterprise disaster in a laudable attempt by P&O to meet public expectations.

Victims and their families are expecting more, whether for fatality or for injury. Besides increasing the levels, the

An award of only £3,500 to parents for the death of a child is long out of date

courts should now review their attitude to exemplary damages by making what are, in effect, punitive awards in suitable cases.

This would lead to significant payments which, besides helping the victim, would also show the court's disapproval and, therefore, that of the nation of the behaviour of the defendant.

The prospect of a carefully measured

exemplary damage award coupled with adverse publicity would act as a deterrent to corner-cutting with safety.

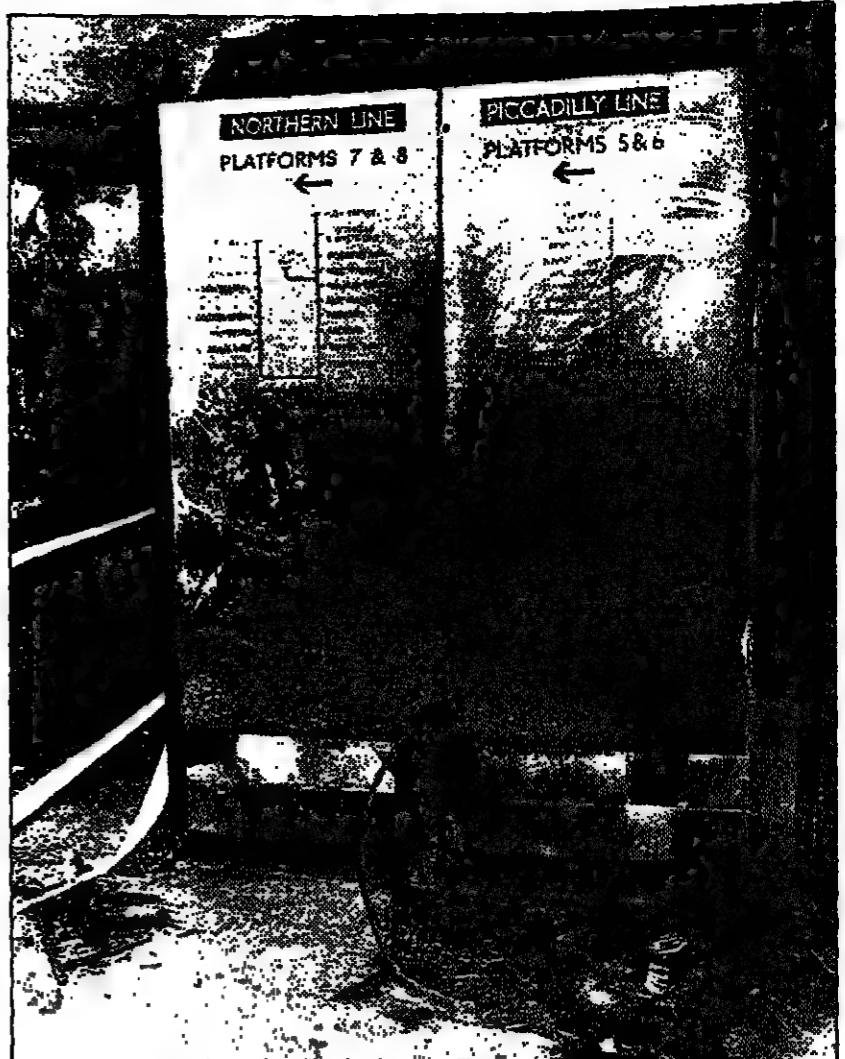
There is a real suspicion that the United Kingdom, with its lowly levels of damages and its comparatively lax product liability laws, is a soft touch for testing out new drugs or vehicles. The Consumers' Association has already drawn attention to this issue.

Since the House of Lords decision in *Rookes v Barnard* in 1964, awards of exemplary damages have been severely restricted, although one gateway left open was that this award could be made where the profit calculatingly made by a defendant as a result of a deliberate act exceeded the plaintiff's losses. That gateway should be more regularly used and Parliament should widen the gateway to meet public expectation.

No doubt, some will contend that it is unworthy for victims to seek vengeance or for them to have increased compensation. Let them sit in a solicitor's office and see the human tragedies. Let them visit Stoke Mandeville Hospital and see the results of man's inhumanity to man. Let them see the insufferable hardships which accident victims have to bear in terms of their lives and their livelihoods.

Exemplary damages, judiciously applied and coupled with an urgent update on levels of damages generally, are long overdue. There is a need to change quickly to reflect the mood of the nation.

• The writer is a solicitor in private practice. He is author of *A Family At Law* and is a member of the American Institute for Injury Reduction.



Mine testimony: should a jury assess damages for the King's Cross blaze?

Law Report June 5 1990 Court of Appeal

Councils retained no interest in property transferred to water authorities

Sheffield City Council v Yorkshire Water Services Ltd and Another (and 16 related actions)

Before Sir Nicolas Browne-Wilkinson, Vice-Chancellor [Judgment May 17]

Properties originally owned by a local authority for the purpose of performing its statutory functions for the supply of water and disposal of sewage were fully transferred to and vested in the water authority that took over those functions under legislation which came into effect on April 1, 1974.

Accordingly, the local authority could not argue that it retained any beneficial interest in those properties that entitled it to payment or compensation from a private company which was the water authority's successor in title and the present owner of the properties.

Sir Nicolas Browne-Wilkinson, Vice-Chancellor, so held on a preliminary issue heard by agreement of the parties on a summons by the defendants, Yorkshire Water Services Ltd and Yorkshire Water Authority (a body corporate), to strike out as vexatious the claim of Sheffield City Council for a declaration, *inter alia*, that prior to September 1, 1989 the Yorkshire Water Authority held certain land for the purpose of performing its statutory functions under the Water Act 1973 for Sheffield City Council beneficially subject to the right of the water authority to use the land for those purposes.

There were 16 other actions all raising the same point in which each plaintiff was a local authority which prior to April 1, 1974 had provided water and sewerage services in its area.

Those parties were Hastings Borough Council v Southern Water Services Ltd and Southern Water Authority; Southampton City Council v Southern Water Services Ltd and Southern Water Authority; Nottingham City Council v Severn Trent Water Ltd and

Severn-Trent Water Authority; Newport Borough Council v Dwr Cymru Cyngor and Welsh Water Authority; Kingston upon Hull City Council v Yorkshire Water Services Ltd and Yorkshire Water Authority; Exeter City Council v South West Water Authority; Doncaster Borough Council v Yorkshire Water Services Ltd and Yorkshire Water Authority; Doncaster Borough Council v Severn Trent Water Ltd and Severn-Trent Water Authority; Birmingham City Council v Severn Trent Water Ltd and Severn-Trent Water Authority; Birmingham City Council v Dwr Cymru Cyngor and Welsh Water Authority; Epsom and Ewell Borough Council v Thames Water Utilities Ltd and Thames Water Authority; Middlesbrough City Council v North West Water Ltd and North West Water Authority; Norwich City Council v Anglia Water Services Ltd and Anglia Water Authority; Wolverhampton Borough Council v Severn Trent Water Ltd and Severn-Trent Water Authority; Thamesthorne Borough Council v Thames Water Utilities Ltd and Thames Water Authority; Kirklees Borough Council v Yorkshire Water Services Ltd and Yorkshire Water Authority.

The case for the local authorities was argued by reference to the claim brought by Sheffield.

Mr Anthony Scrivenor, QC and Mr Geoffrey Vos for the plaintiffs; Mr Michael Beloff, QC and Mr A. W. H. Charles for the defendants.

There were 16 other actions all raising the same point in which each plaintiff was a local authority which prior to April 1, 1974 had provided water and sewerage services in its area.

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It was clear that paragraph (a) could be established in two quite separate ways.

The word "was likely" gave rise to "likely" in many contexts. "Likely" meant "probable" or "more probable than not". But in other contexts it might have a wider meaning so that it likely even included an event "such as might happen" or "such as might well happen" or "where there is a material risk that it will happen" as well as events which are "more probable than not".

In the present context the wider meaning was to be preferred. Parliament could not have intended that a keeper of a dog with a known propensity to bite strangers could escape liability by establishing that only 40 per cent of such persons had been bitten in the past. Moreover, such a construction would represent a radical departure from the old law.

The two main remaining issues in the instant case both arose out of paragraph (a): Was personal injury to a human being a kind of damage which Sam, unless restrained, was likely to cause; and was personal injury to a human being, if caused by Sam, likely to be severe?

The kind of damage concerned was personal injury to a human being caused by the direct application of force, and if the personal injury was the result of an attack by a dog it was unrealistic to distinguish between a bite and the consequences of a buffet.

Mr Roderick James for the plaintiff; Mr Mark R. West for the defendants.

LORD JUSTICE NEILL said that the judge had found that as the defendants' dog, Sam, lunged at the plaintiff's dog, the second defendant was pulled off balance and fell on the road. He did not lose hold of the lead but Sam was able to reach the plaintiff and his dog.

Sam made to attack the plaintiff's dog and in doing so, lashed against the plaintiff's legs, knocking him to the ground and causing a vertical fracture or

vested in" in paragraphs 7 and 8 of the 1973 Order.

His Lordship had no doubt that apart from any special context those words would operate to transfer to the water authority whatever assets were vested in the local authority for water purposes.

In the absence of a compelling limitation, a transfer of property from one person to another *prima facie* implied that the transferee would receive whatever interest the transferor had.

But the plaintiff said that here there were compelling features which led to a different conclusion. It relied on two separate but interconnected arguments:

1 There were cases that established that Acts of Parliament

which, for example, streets or sewers or sea walls in the highway authorities for the performance of their statutory functions did not operate to vest the land on which the street ran as a whole but only such interest in the street as was necessary for

the discharge of the statutory function and only for as long as the street was a highway; similarly, the plaintiff said, here.

His Lordship accepted that the principle was well established but found that it did not apply to the instant case, for all the decided cases were simply dealing with statutory provisions referring to the "vesting" of something which was not land itself.

There was no deemed transfer

by the owner. The subject matter was not property itself,

but a street, a sewer, a sea wall, that is some element in the land, something less than the whole soil.

Furthermore, the street cases

were all cases in which private property of a subject was said to have been expropriated for public purposes.

That principle found its expression in *Central Control Board v Cannon Brewery Co Ltd* ([1919] AC 744, 752) per Lord Atkinson:

"An intention to take away

property from a subject without giving to him a legal right to compensation for the loss of it is to be imputed to the legislature unless that intention is expressed in unequivocal terms."

Mr Beloff submitted that the principle had no application where a local authority was the body from which the property was taken for it was not a "subject" but an emanation of government and relied on *R v Secretary of State for the Environment Ex parte Newark LBC* ([1983] 84 LG 639) as authority to that effect.

Although His Lordship could not regard the *Newark* case as deciding that the presumption might never apply to a statutory provision transferring property from a local authority, it did establish that in certain cases involving the statutory transfer of property appropriate to a public purpose from one authority charged with carrying out that purpose to another

authority charged with the same purpose, the presumption might either not apply or might be rebutted.

The facts of the case disclosed a reorganization of the water services. In such a scheme of public reorganization there was no room for any concept of confiscation or expropriation.

The legislation in 1973 and 1974 simply transferred public functions and related assets from one public body to another and had no element of appropriation without compensation.

Accordingly, the plaintiff's argument failed: the whole of the beneficial interest remained in the old local authority and the transferee had to the extent that it was for the discharge of statutory functions.

That principle found its expression in *Central Control Board v Cannon Brewery Co Ltd* ([1919] AC 744, 752) per Lord Atkinson:

"An intention to take away

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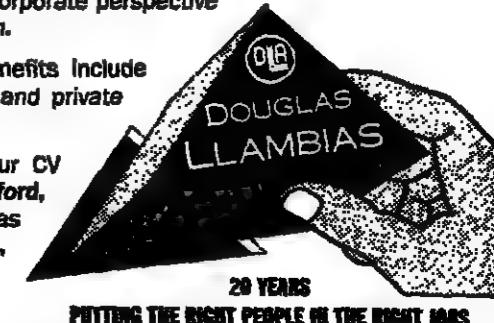
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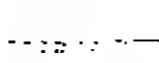
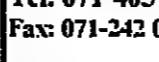
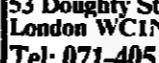
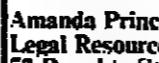
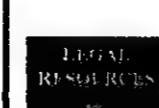
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SPORT

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Taylor meets FA head in Rome

By PETER BALL

THE appointment of Graham Taylor as England manager came a step nearer yesterday when Taylor met Bert Millichip, chairman of the FA, for informal talks in Rome. Millichip is there as a member of FIFA's World Cup organising committee.

Taylor's formal interview, with Graham Kelly, the FA chief executive, and three FA councillors, including the vice-chairman of the FA's International sub-committee, Peter Swales, took place in London last Friday. That was a week after Bobby Robson announced that he was moving on after the World Cup.

Taylor, who will be commenting on the World Cup for ITV as well as writing for *The Times*, flew out to Rome on Sunday for a social get-together of the ITV commentators, taking the opportunity it offered to meet Millichip for a follow-up.

Before the post can be formally offered, however, there is the small matter of Taylor's contract with Aston Villa, which still has a year to run. That is proving the only remaining obstacle to his appointment. Doug Ellis, the Aston Villa chairman, is reportedly seeking compensation in the region of £250,000, causing a few raised eyebrows and some resistance at Lancaster Gate.

Ellis and the club secretary, Steve Stride, were yesterday refusing to accept calls from the press. It would certainly be a blow for the FA should the move to appoint Taylor, which otherwise seems a formality, fall down on this point, but it is hard to imagine that Ellis would want to incur the opprobrium from blocking his manager's appointment.

Johnston is passed fit for Scotland

MO JOHNSTON, whose goals took Scotland to the World Cup finals for a fifth successive time, will play in Italy. The Rangers forward was passed fit yesterday to join the Scottish squad when they fly to Genoa tomorrow.

Johnston tore last week muscles in Malta last week and had been regarded as very doubtful. He has scored 13 goals in 34 appearances for Scotland, including six in the World Cup qualifying games.

The Scots play Costa Rica in the opening match a week today, Sweden on June 16, then Brazil four days later in their final first phase game.

Butcher selected and exonerated for misdemeanour

From STUART JONES, FOOTBALL CORRESPONDENT, CAGLIARI

BOBBY Robson yesterday defended the indefensible. Although the evidence of television suggested that Terry Butcher deliberately butted a Tunisian during the 1-1 draw on Saturday, no disciplinary action is to be taken against the central defender whose response to being substituted was to tear off his shirt and, effectively, he helped to get us here.

"He is passionate about his country. He has been involved in qualifying ties for the World Cup, for the European Championship and in friendlies and he has always played his heart out for England. He's been caught up in one situation, which has been blown up out of all proportion."

In spite of Colin Moynihan's recent plea for proper conduct, there are no indications that the Football Association will impose any punishment either. Butcher, who has been chosen for today's latest warm-up fixture against a side selected from the whole of Sardinia, would appear to have escaped lightly for his two misdemeanours.

"Did the BBC show him being held before the free kick was taken?" Bobby Robson asked, as if that might excuse Butcher's subsequent violent response. "The referee dealt with it anyway by booking him. I took him off and he was

just showing his frustration when he reacted that way."

He knows that what he did was wrong. He was throwing his shirt at nobody but himself. His conduct over the last decade has been impeccable. People forget about his performance in Sweden when he finished drenched in blood. He held us together and, effectively, he helped to get us here.

"He is passionate about his country. He has been involved in qualifying ties for the World Cup, for the European Championship and in friendlies and he has always played his heart out for England. He's been caught up in one situation, which has been blown up out of all proportion."

There can be no disputing the patriotic commitment of Butcher, who still insists that the damage was inadvertently caused when he attempted to spin away from Dermech. The Tunisian injured in the incident. Nevertheless, he seems to have been treated excessively leniently by a manager who regards him as his blue-eyed boy.

There was never any question that Butcher might immediately be sent home for his indiscretions but his international career seems limited. He will almost certainly start the World Cup alongside Sooud Beardsley. "He's visibly sharper, he's fresh after being out for so long and he needs another match," the manager added. In his desire to reclaim his usual place alongside Lincker, Beardsley might have requested sterner opposition. It promises to resemble, say, Cardiff City.

Torres, the original opponents, were dismissed because they were unable to confirm that they would be available. Instead, a mixture of third and fourth division representatives will gather in Oristano, a town on the east coast of the island, for a match which will be played for the sake of charity.

A FIFA spokesman said: "If the local organising committee feels this measure is important we support it." England and the Netherlands, the countries with the world's most violent supporters, clash in Cagliari on June 16. England play Ireland on June 11.

Special security cordon for England matches

WORLD Cup organisers have cut capacity at the stadium where England will play their first round matches in Italy because they fear violence from soccer hooligans.

This will enable police to leave a security cordon between English fans and rival supporters in Cagliari's San Elia stadium.

An International Football Federation (Fifa) spokesman said: "Five thousand tickets - about five

Scottish football surprised by Hearts' bid for Hibs

By A SPECIAL CORRESPONDENT

WALLACE MERCER, the Heart of Midlothian chairman, shook the foundations of Edinburgh and Scottish football yesterday by launching a takeover bid for their neighbours, Hibernian, a move that, if successful, could spell the end of the Easter Road club after 115 years.

Hearts have made an offer of £6.12 million for the club and have received an irrevocable undertaking from Inoco

pic, the major shareholder in Hibernian, to accept the offer in respect of its holding of 29.9 per cent of the club's ordinary shares.

Although the deal was being dressed up as a merger proposal, the intention is that there would be only one Scottish League premier division club in Edinburgh next season.

"The opportunity has arisen to create a focal point of professional football at the highest level representing Edinburgh and the Lothians," Mercer said yesterday. "I must stress that this opportunity has not been induced by Heart of Midlothian plc; the opportunity has arisen due to a variety of factors that other people must make a subjective judgement about."

"There is considerable merit to Edinburgh and the Lothians' combining together the two principal clubs to try and create one unit which could compete at the highest level with clubs from the west of Scotland, and also have the opportunity of competing at the highest level in European football, should the situation ever arrive of a European league."

"Sadly, I appreciate there is going to be a considerable amount of emotional distress if the matter succeeds but it is up to others to judge if there would be emotional distress if it did not succeed."

Hibs, founded with Irish connections in 1875, have won the Scottish League four times. They were the first club in Britain to play in Europe.

"Hibs supporters also voiced opposition. Gary Ferguson, a spokesman for the supporters club, said: "There will be a lot of disappointed people. Edinburgh should be big enough to support two professional football clubs."

Whitbread remains positive

By DAVID POWELL, ATHLETICS CORRESPONDENT

FATIMA Whitbread, the world and European javelin champion, was adamant yesterday that her international career is not yet over, despite repeated problems with the shoulder of her throwing arm.

"It depends on what the surgeon finds," Whitbread said yesterday. "If it is a fracture then it should need a serious operation and that would effectively rule me out for this season. But if it is just dislocated, I will have to reassess this season."

Whitbread's shoulder first suffered surgery last summer after she threw 72.26 metres in a local meeting. She went to Auckland for the Commonwealth Games in January but

immediately to Cardiff Royal Infirmary. Her shoulder, she said, was manipulated into place under anaesthetic and X-ray examinations showed what appeared to be a fracture.

"It depends on what the surgeon finds," Whitbread said yesterday. "If it is a fracture then it should need a serious operation and that would effectively rule me out for this season. But if it is just dislocated, I will have to reassess this season."

Whitbread could finish no higher than third with 51.50 metres, 26 metres down on the world record set in 1986, and was in such pain after her final throw that she was taken

immediately to the competition after further discomfort. Sunday was her first event since a pre-Commonwealth Games meeting in Sydney where she managed only 54.12 metres.

She was hoping for a distance in the region of 60 metres to give her encouragement that she might be on course to defend her European title in Split in August. That is clearly now a near impossibility and she admitted as much when she said: "I hope to be back to defend my world title in Tokyo next year. I am guided by professional people and they have my best interests at heart."

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Tremlett relives his days of glory

By ALAN LEES

CRICKET CORRESPONDENT
LEICESTER (second day of three): Leicestershire with five second-innings wickets standing, lead Hampshire by 18 runs

HAMPSHIRE's players had tended to raise their eyebrows quizzically at suggestions that this might be their year in the championship. Now, those eyes hold an altogether different expression, an awareness that this really is their best chance of the prize since the mid-1970s.

Today, assuming the forecast rain or a more unlikely respite from the Leicestershire tail does not prevent their rout of a perennially disappointing side, Hampshire could be looking down from the head of the table with four wins from their first six games. With Essex and Worcestershire currently misfiring, they have stolen valuable ground from the more fancied clubs.

The most significant effect of their sprint start is the incentive it has dangled before Malcolm Marshall. Properly motivated by the prospect of winning the championship in his final season, he has responded proudly to bat promotion with two centuries in a week and, looking fitter than at any stage of the Caribbean winter, he has convinced his colleagues he is a better bowler than ever.

Marshall took wickets yesterday when Hampshire most needed them and the joy on his face was graphic. He is enjoying his cricket. With Bakker, the lumbering but incisive Dutchman, sharing the new ball and Connor, born in Anguilla, harnessing stamina and accuracy, the seam attack is an effective, cosmopolitan cocktail. When the promising all-rounder Aylung is fit enough to resume three-day cricket, the team's depth and balance will be further improved.

Here, with Aylung still being nursed, Tremlett has emerged from a semi-retirement and done them proud. In a long spell from the pavilion end yesterday morning, he took three cheap wickets and constantly made the batsmen play. On an unreliable pitch, he recalled the seasons when there was no more consistent seamer in England.

Leicestershire, having batted generously on Saturday, were up against it at seven for two overnight and when Marshall's second ball climbed to have Boon producing to cover, before Bakker defeated Whittaker with his deceptive speed, the rest was predictable.

Potter made 43 of a stand worth 61 and Willey was as uncompromising as ever.

Lewis, whose fitness for England on Thursday remained unresolved last night, played the shot of the day, through the covers off the back foot against Marshall. He then shared a last wicket stand of 54 with Mullally, especially irritating for Hampshire as they had anticipated Mullally playing for them this year.

Nicholas busily consulted before enforcing the follow-on, 171 ahead. Boon soon comforted him, playing no stroke to Bakker to leave his day's return at one run for twice out. Brier, the captain, was diligent and Whittaker threatened to play the innings before he had anticipated Mullally playing for them this year.

Nicholas turned once more to Marshall, whose first over removed Whittaker and Bakker in successive balls. The latter to a classical yorker.

Lewis had found time for 40 minutes of bowling in the nets, giving him further encouragement for the decision he must make today on his Test fitness. Then he was batting again, as well as anyone had batted all day, and Hampshire, who carry some handicaps in the field, began to fray at the edges.

Hampshire won the first Innings 349 for 7 dec (M D Marshall 112, C L Smith 80 not out, J Maru 58).

LEICESTERSHIRE: First Innings
T. J. E. Bakker 100, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Second Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Third Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Fourth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Fifth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Sixth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Seventh Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Eighth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Ninth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Tenth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Eleventh Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Twelfth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Thirteenth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Fourteenth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Fifteenth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Sixteenth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Seventeenth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Eighteenth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Nineteenth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Twentieth Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Twenty-first Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.

Twenty-second Innings: C. Bakker 100, P. A. Whittaker 50, J. Maru 58, M. D. Marshall 112, C. L. Smith 80 not out, J. Maru 58.